



OFFERYNNAU STATUDOL
CYMRU

WELSH STATUTORY
INSTRUMENTS

2016 Rhif 413 (Cy. 131)

2016 No. 413 (W. 131)

**GOFAL CYMDEITHASOL,
CYMRU A LLOEGR**

**SOCIAL CARE, ENGLAND
AND WALES**

Rheoliadau Deddf Gwasanaethau
Cymdeithasol a Llesiant (Cymru)
2014 (Diwygiadau Canlyniadol)
2016

The Social Services and Well-being
(Wales) Act 2014 (Consequential
Amendments) Regulations 2016

NODYN ESBONIADOL

EXPLANATORY NOTE

(Nid yw'r nodyn hwn yn rhan o'r Rheoliadau)

(This note is not part of the Regulations)

Mae'r Rheoliadau hyn wedi eu gwneud o dan adran 198 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 ("Deddf 2014").

These Regulations are made under section 198 of the Social Services and Well-being (Wales) Act 2014 ("the 2014 Act").

Mae Rhannau 2 i 6 o Ddeddf 2014 yn gwneud darpariaeth ynghylch gwella'r canlyniadau llesiant i bobl yng Nghymru y mae arnynt angen gofal a chymorth ac i ofalwyr y mae arnynt angen cymorth. Mae'r Rheoliadau hyn yn diwygio deddfwriaeth sylfaenol sydd ar hyn o bryd yn sail i'r ddarpariaeth o ofal a chymorth i bobl a chymorth i ofalwyr yng Nghymru.

Parts 2 to 6 of the 2014 Act make provision about improving the well-being outcomes for people in Wales who need care and support and carers who need support. These Regulations amend primary legislation that currently underpins the provision of care and support for people and support for carers in Wales.

Yn gyffredinol, mae'r ddeddfwriaeth sylfaenol sydd i gael ei diwygio ac sy'n ymwneud â darparu gofal a chymorth i oedolion a gofalwyr ("y ddeddfwriaeth gofal cymunedol gyfredol") yn gymwys o ran Cymru yn unig. Bydd y diwygiadau sydd wedi eu gwneud yn y Rheoliadau hyn yn golygu bod y ddeddfwriaeth gofal cymunedol gyfredol wedi ei diddymu, neu (i'r graddau y mae'n parhau i fod yn gymwys o ran Lloegr) na fydd bellach yn gymwys o ran Cymru ond y bydd yn parhau i fod yn gymwys o ran Lloegr.

In general, the primary legislation to be amended which relates to the provision of care and support for adults and carers ("the current community care legislation") applies only in relation to Wales. The amendments made in these Regulations will mean that the current community care legislation is repealed, or (to the extent that it continues to apply in relation to England) that it will no longer apply in relation to Wales but will continue to apply in relation to England.

Yn gyffredinol, mae'r ddeddfwriaeth sylfaenol sy'n ymwneud â darparu gofal a chymorth i blant a'u teuluoedd wedi ei chynnwys yn Rhan 3 o Ddeddf Plant 1989 ("Deddf 1989"). Bydd y diwygiadau sydd wedi eu gwneud yn y Rheoliadau hyn yn golygu na fydd Rhan 3 o Ddeddf 1989 bellach yn gymwys o ran Cymru ond y bydd, fodd bynnag, yn parhau i fod yn gymwys o ran Lloegr.

In general, the primary legislation which relates to the provision of care and support to children and their families is contained in Part 3 of the Children Act 1989 ("the 1989 Act"). The amendments made in these Regulations will mean that Part 3 of the 1989 Act will no longer apply in relation to Wales but will, however, continue to apply in relation to England.

Mae Rhan 7 o Ddeddf 2014 yn gwneud darpariaeth ynghylch diogelu oedolion a phlant hyglwyf, gan gynnwys sefydlu Byrddau Diogelu i oedolion a phlant. Mae'r Rheoliadau hyn yn diwygio Deddf Plant 2004 ("Deddf 2004") i ddileu'r gofynion cyfredol i sefydlu Byrddau Lleol Diogelu Plant yng Nghymru.

Mae Rhan 8 o Ddeddf 2014 yn gwneud darpariaeth ar gyfer swyddogaethau gwasanaethau cymdeithasol. Mae'n cyflwyno Atodlen 2, sy'n pennu swyddogaethau gwasanaethau cymdeithasol awdurdodau lleol. Mae hefyd yn gwneud darpariaeth ar gyfer penodi cyfarwyddwyr gwasanaethau cymdeithasol, ar gyfer gwneud codau ynghylch arfer swyddogaethau gwasanaethau cymdeithasol ac ar gyfer ymyrraeth gan Weinidogion Cymru pan fo awdurdod lleol yn methu ag arfer ei swyddogaethau gwasanaethau cymdeithasol yn gywir. Mae darpariaeth ar gyfer y materion hyn wedi ei chynnwys ar hyn o bryd yn Neddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970 ("Deddf 1970"). Mae'r Rheoliadau hyn yn diwygio Deddf 1970 fel na fydd bellach yn gymwys o ran Cymru ond y bydd yn parhau i fod yn gymwys o ran Lloegr.

Mae Rhan 10 o Ddeddf 2014 yn gwneud darpariaeth ar gyfer cwynion a sylwadau am wasanaethau cymdeithasol sy'n cael eu darparu neu eu trefnu gan awdurdodau lleol. Mae darpariaeth ar gyfer cwynion wedi ei chynnwys ar hyn o bryd yn Rhan 2 o Ddeddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 ("Deddf 2003") ac mae darpariaeth ar gyfer sylwadau mewn perthynas â phlant wedi ei chynnwys yn Rhan 3 o Ddeddf 1989. Bydd y Rheoliadau hyn yn diwygio Deddf 2003 a Deddf 1989 i ddileu'r ddarpariaeth ar gyfer y materion hyn i'r graddau y maent yn ymwneud â Chymru.

Yn gyffredinol, pan fo darpariaeth yn neddfwriaeth sylfaenol y DU wedi ei datgymhwyso o ran Lloegr a bwriedir na fydd yn gymwys mwyach o ran Cymru, mae'r Rheoliadau yn darparu i'r ddarpariaeth honno gael ei hepgor neu (os yw hyn yn gymwys i Ddeddf gyfan) ei diddymu. O ran rhychwant yr hepgoriad hwnnw neu'r diddymiad hwnnw, dim ond awdurdodaeth Cymru a Lloegr y caiff ei rhychwantu ac nid oes ganddo unrhyw effaith ar y ddarpariaeth honno i'r graddau y mae'n rhychwantu awdurdodaeth yr Alban neu awdurdodaeth Gogledd Iwerddon.

Mae'r Rheoliadau hefyd yn gwneud diwygiadau canlyniadol a chysylltiedig i ddarpariaethau deddfwriaethol sylfaenol eraill sy'n cyfeirio, at ddibenion amrywiol, at y ddeddfwriaeth gofal cymunedol gyfredol, Deddf 1989, Deddf 2004, Deddf 1970 neu Ddeddf 2003. Mae'r diwygiadau hyn yn gwneud, mewn cysylltiad â Chymru, ddarpariaeth sy'n adlewyrchu'r darpariaethau newydd yn Neddf 2014.

Part 7 of the 2014 Act makes provision about safeguarding of vulnerable adults and children, including the establishment of Safeguarding Boards for adults and children. These Regulations amend the Children Act 2004 ("the 2004 Act") to remove the current requirements for the establishment of Local Safeguarding Children Boards in Wales.

Part 8 of the 2014 Act makes provision for social services functions. It introduces Schedule 2, which specifies the social services functions of local authorities. It also makes provision for the appointment of directors of social services, for the making of codes about the exercise of social services functions and for intervention by the Welsh Ministers where a local authority is failing to exercise its social services functions properly. Provision for these matters is currently contained in the Local Authority Social Services Act 1970 ("the 1970 Act"). These Regulations amend the 1970 Act so that it will no longer apply in relation to Wales but will continue to apply in relation to England.

Part 10 of the 2014 Act makes provision for complaints and representations about social services provided or arranged by local authorities. Provision for complaints is currently contained in Part 2 of the Health and Social Care (Community Health and Standards) Act 2003 ("the 2003 Act") and provision for representations in relation to children is contained in the Part 3 of the 1989 Act. These Regulations will amend the 2003 Act and the 1989 Act to remove the provision for these matters in so far as they relate to Wales.

In general, where a provision in UK primary legislation has been disapplied in relation to England and it is intended that it will no longer apply in relation to Wales, the Regulations provide for that provision to be omitted or (if this applies to a whole Act) repealed. In terms of the extent of that omission or repeal, it can only extend to the jurisdiction of England and Wales and has no effect on that provision in so far as it extends to the jurisdiction of Scotland or the jurisdiction of Northern Ireland.

The Regulations also make consequential and incidental amendments to other primary legislative provisions which refer, for various purposes, to the current community care legislation, the 1989 Act, the 2004 Act, the 1970 Act or the 2003 Act. These amendments make, in respect of Wales, provision which reflects the new provisions in the 2014 Act.

Mae'r Atodlen yn cynnwys darpariaethau trosiannol ac arbed mewn cysylltiad â'r diwygiadau a wneir gan y Rheoliadau.

The Schedule contains transitional and saving provisions in connection with the amendments made by the Regulations.

2016 Rhif 413 (Cy. 131)

**GOFAL CYMDEITHASOL,
CYMRU A LLOEGR**

**Rheoliadau Deddf Gwasanaethau
Cymdeithasol a Llesiant (Cymru)
2014 (Diwygiadau Canlyniadol)
2016**

Gwnaed 19 Mawrth 2016

Yn dod i rym yn unol â rheoliad 2

Mae Gweinidogion Cymru yn gwneud y Rheoliadau a ganlyn, drwy arfer y pwerau a roddwyd gan adran 198 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014(1).

Gosodwyd drafft o'r Rheoliadau hyn gerbron Cynulliad Cenedlaethol Cymru o dan adran 196(6) o'r Ddeddf honno ac fe'i cymeradwywyd gan Gynulliad Cenedlaethol Cymru drwy benderfyniad.

Enwi

1. Enw'r Rheoliadau hyn yw Rheoliadau Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (Diwygiadau Canlyniadol) 2016.

Cychwyn

2.—(1) Daw'r Rheoliadau hyn i rym ar 6 Ebrill 2016 yn ddarostyngedig i baragraffau (2) i (6).

(2) Daw rheoliad 140 i rym ar y diwrnod y daw adran 85D o Ddeddf Addysg Bellach ac Uwch 1992(2) i rym.

(3) Daw rheoliad 158 i rym ar y diwrnod y daw adran 562J o Ddeddf Addysg 1996(3) i rym.

(1) 2014 dccc 4.
(2) 1992 p. 13.
(3) 1996 p. 56.

2016 No. 413 (W. 131)

**SOCIAL CARE, ENGLAND
AND WALES**

**The Social Services and Well-being
(Wales) Act 2014 (Consequential
Amendments) Regulations 2016**

Made 19 March 2016

*Coming into force in accordance with
Regulation 2*

The Welsh Ministers make the following Regulations in exercise of the powers conferred by section 198 of the Social Services and Well-being (Wales) Act 2014(1).

A draft of these Regulations was laid before the National Assembly for Wales under section 196(6) of that Act and has been approved by a resolution of the National Assembly for Wales.

Title

1. The title of these Regulations is the Social Services and Well-being (Wales) Act 2014 (Consequential Amendments) Regulations 2016.

Commencement

2.—(1) These Regulations come into force on 6 April 2016 subject to paragraphs (2) to (6).

(2) Regulation 140 comes into force on the day that section 85D of the Further and Higher Education Act 1992(2) comes into force.

(3) Regulation 158 comes into force on the day that section 562J of the Education Act 1996(3) comes into force.

(1) 2014 anaw 4.
(2) 1992 c. 13.
(3) 1996 c. 56

(4) Daw rheoliad 235 i rym ar y diwrnod y daw adran 93A o Ddeddf Addysg ac Arolygiadau 2006(1) i rym.

(5) Daw rheoliad 253 i rym ar y diwrnod y daw'r diwygiad i adran 6 o Ddeddf Diogelu Grwpiau Hyglwyf 2006(2), a wnaed gan baragraff 8 o Atodlen 14 i Ddeddf Iechyd a Gofal Cymdeithasol 2008(3), i rym.

(6) Daw rheoliadau 322 a 323 i rym yn union ar ôl i'r diwygiad i Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014, sy'n mewnosod yn y Ddeddf honno Atodlen A1 (Taliadau Uniongyrchol: Ôl-ofal o dan Ddeddf Iechyd Meddwl 1983), a wnaed gan baragraff 1 o Ran 2 o Atodlen 4 i Ddeddf Gofal 2014(4), ddod i rym.

Deddf Plant a Phobl Ifanc 1933 (p. 12)

3. Mae Deddf Plant a Phobl Ifanc 1933 wedi ei diwygio fel a ganlyn.

4. Yn adran 34(7A)(5) (presenoldeb mewn llys riant plentyn neu berson ifanc a gyhuddir o drosedd etc.), ar ôl "Children Act 1989" mewnosoder "or section 76 of the Social Services and Well-being (Wales) Act 2014".

5. Yn adran 34A(6) (presenoldeb rhiant neu warcheidwad mewn llys), yn is-adran (2)(b) ar ôl "1970" mewnosoder "or the Social Services and Well-being (Wales) Act 2014".

Deddf Cymorth Gwladol 1948 (p. 29)

6. Mae Deddf Cymorth Gwladol 1948 wedi ei diwygio fel a ganlyn.

7. Yn adran 1 (disodli cymhwyso cyfraith y tlodion gan ddarpariaethau penodol yn y Ddeddf), hepgorer y geiriau o'r "and" cyntaf hyd at y diwedd.

8. Hepgorer Rhan 3.

9.—(1) Hepgorer Rhan 4 ac eithrio adrannau 49 a 68.

(2) Yn adran 49(7) (treuliau swyddogion cyngor sy'n gweithredu fel derbynyddion), yn lle "any such council as is referred to in section 48(4) of this Act, other than

(1) 2006 p. 40.

(2) 2006 p. 47.

(3) 2008 p. 14.

(4) 2014 p. 23.

(5) Amnewidiwyd adran 34 gan adran 25(1) o Ddeddf Plant a Phobl Ifanc 1963 (p. 37). Mewnosodwyd is-adran (7A) gan baragraff 6 o Atodlen 13 i Ddeddf Plant 1989.

(6) Mewnosodwyd adran 34A gan adran 56 o Ddeddf Cyfiawnder Troseddol 1991 (p. 53).

(7) Diwygiwyd adran 49 gan adran 192 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014. Mae diwygiadau eraill nad dynt yn berthnasol.

(4) Regulation 235 comes into force on the day that section 93A of the Education and Inspections Act 2006(1) comes into force.

(5) Regulation 253 comes into force on the day that the amendment to section 6 of the Safeguarding Vulnerable Groups Act 2006(2) made by paragraph 8 of Schedule 14 to the Health and Social Care Act 2008(3) comes into force.

(6) Regulations 322 and 323 come into force immediately after the amendment to the Social Services and Well-being (Wales) Act 2014, which inserts into that Act, Schedule A1 (Direct Payments: After-care Under the Mental Health Act 1983), made by paragraph 1 of Part 2 of Schedule 4 to the Care Act 2014(4), comes into force.

Children and Young Persons Act 1933 (c. 12)

3. The Children and Young Persons Act 1933 is amended as follows.

4. In section 34(7A)(5) (attendance at court of parent of child or young person charged with an offence etc.) after "Children Act 1989" insert "or section 76 of the Social Services and Well-being (Wales) Act 2014".

5. In section 34A(6) (attendance at court of parent or guardian) in subsection (2)(b) after "1970" insert "or the Social Services and Well-being (Wales) Act 2014".

National Assistance Act 1948 (c. 29)

6. The National Assistance Act 1948 is amended as follows.

7. In section 1 (replacement of application of poor law by certain provisions of the Act), omit the words from the first "and" to the end.

8. Omit Part 3.

9.—(1) Omit Part 4 except sections 49 and 68.

(2) In section 49(7) (expenses of council officers acting as receivers) for "any such council as is referred to in section 48(4) of this Act, other than one in

(1) 2006 c. 40

(2) 2006 c. 47

(3) 2008 c. 14

(4) 2014 c. 23

(5) Section 34 was substituted by the Children and Young Persons Act 1963 (c. 37), section 25(1). Subsection (7A) was inserted by the Children Act 1989, Schedule 13, paragraph 6.

(6) Section 34A was inserted by the Criminal Justice Act 1991 (c. 53), section 56.

(7) Section 49 was amended by the Social Services and Well-being (Wales) Act 2014, section 192. There are other amendments which are not relevant.

one in Wales,” rhodder “a county council in England, a district council for an area in England for which there is no county council, a London borough council or the Common Council of the City of London,”.

Deddf Personau Anabl (Cyflogaeth) 1958 (p. 33)

10. Mae Deddf Personau Anabl (Cyflogaeth) 1958 wedi ei diwygio fel a ganlyn.

11. Yn adran 3 (darparu cyflogaeth warchodol gan awdurdodau lleol)—

- (a) yn is-adran (1), ar ôl y geiriau “A local authority” mewnosoder “in England or Scotland”;
- (b) yn is-adran (2)(1), hepgorer “section twenty-nine of the National Assistance Act 1948 or under paragraph 2 of Schedule 15 to the National Health Service (Wales) Act 2006, or”;
- (c) yn is-adran (5)(2), hepgorer “and in relation to Wales, the council of a county or county borough”.

12. Hefgorer yr Atodlen.

Deddf Gwasanaethau Iechyd ac Iechyd y Cyhoedd 1968 (p. 46)

13. Mae Deddf Gwasanaethau Iechyd ac Iechyd y Cyhoedd 1968 wedi ei diwygio fel a ganlyn.

14. Hefgorer adran 45 (hybu gan awdurdodau lleol les hen bobl).

15. Yn adran 63(8) (darparu cyfarwyddyd mewn gweithgareddau penodol sy'n gysylltiedig ag iechyd neu les), yn y diffiniad o “the relevant enactments”—

- (a) ym mharagraff (a)(3) ar ôl “2006” mewnosoder “or for the purposes of the Social Services and Well-being (Wales) Act 2014”;
- (b) ym mharagraff (b)(4)—

-
- (1) Diwygiwyd adran 3(2) gan adran 2 o Ddeddf y Gwasanaeth Iechyd Gwladol (Darpariaethau Canlyniadol) 2006 (p. 43), paragraffau 18 a 19 o Atodlen 1 i'r Ddeddf honno a pharagraff 11 o'r Atodlen i O.S. 2015/914.
 - (2) Diwygiwyd adran 3(5) gan adrannau 22(4) a 66(8) o Ddeddf Llywodraeth Leol (Cymru) 1994 (p. 19), paragraff 3 o Atodlen 10 i'r Ddeddf honno ac Atodlen 18 iddi. Mae diwygiadau eraill nad ydynt yn berthnasol.
 - (3) Diwygiwyd paragraff (a) gan adran 20 o Ddeddf Iechyd a Meddyginiaethau 1988 (p. 49), gan adran 55(3) o Ddeddf Plant 2004 (p. 31), gan adran 129 o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 (p. 49) a pharagraff 45 o Atodlen 15 iddi a chan adran 2 o Ddeddf y Gwasanaeth Iechyd Gwladol (Darpariaethau Canlyniadol) 2006 (p. 43) a pharagraffau 33 a 38(e)(ii) o Atodlen 1 iddi.
 - (4) Diwygiwyd paragraff (b) gan adran 129 o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 a pharagraff 45 o Atodlen 15 iddi a chan adran 2 o Ddeddf y Gwasanaeth Iechyd Gwladol (Darpariaethau Canlyniadol) 2006 a pharagraffau 33 a 38(e)(iii) o Atodlen 1 iddi.

Wales,” substitute “a county council in England, a district council for an area in England for which there is no county council, a London borough council or the Common Council of the City of London,”.

Disabled Persons (Employment) Act 1958 (c. 33)

10. The Disabled Persons (Employment) Act 1958 is amended as follows.

11. In section 3 (provision of sheltered employment by local authorities)—

- (a) in subsection (1), after the words “A local authority” insert “in England or Scotland”;
- (b) in subsection (2)(1), omit “section twenty-nine of the National Assistance Act 1948 or under paragraph 2 of Schedule 15 to the National Health Service (Wales) Act 2006, or”;
- (c) in subsection (5)(2), omit “and in relation to Wales, the council of a county or county borough”.

12. Omit the Schedule.

Health Services and Public Health Act 1968 (c. 46)

13. The Health Services and Public Health Act 1968 is amended as follows.

14. Omit section 45 (promotion by local authorities of the welfare of old people).

15. In section 63(8) (provision of instruction in certain activities connected with health or welfare), in the definition of “the relevant enactments”—

- (a) in paragraph (a)(3) after “2006” insert “or for the purposes of the Social Services and Well-being (Wales) Act 2014”;
- (b) in paragraph (b)(4)—

-
- (1) Section 3(2) was amended by the National Health Service (Consequential Provisions) Act 2006 (c. 43), section 2, Schedule 1, paragraphs 18 and 19 and S.I. 2015/914, Schedule, paragraph 11.
 - (2) Section 3(5) was amended by the Local Government (Wales) Act 1994 (c. 19) sections 22(4) and 66(8), Schedule 10, paragraph 3 and Schedule 18. There are other amendments which are not relevant.
 - (3) Paragraph (a) was amended by the Health and Medicines Act 1988 (c. 49), section 20, by the Children Act 2004 (c. 31), section 55(3), by the National Health Service Act 1977 (c. 49), section 129, Schedule 15, paragraph 45 and by the National Health Service (Consequential Provisions) Act 2006 (c. 43), section 2, Schedule 1, paragraphs 33 and 38(e)(ii).
 - (4) Paragraph (b) was amended by the National Health Service Act 1977, section 129, Schedule 15, paragraph 45 and by the National Health Service (Consequential Provisions) Act 2006, section 2, Schedule 1, paragraphs 33 and 38(e)(iii).

- (i) hepgorer “Part III of the National Assistance Act 1948”;
- (ii) hepgorer “section 45 of this Act and”;
- (iii) ar ôl “2006 Acts” mewnosoder “and Part 4 of the Social Services and Well-being (Wales) Act 2014”.

16. Yn adran 64 (cymorth ariannol gan Weinidogion i sefydliadau gwirfoddol penodol), yn is-adran (3)(a)—

- (a) hepgorer is-baragraff (iii);
- (b) ar ôl is-baragraff (xxii) mewnosoder—
“(xxiii) section 15 and Part 4 of the Social Services and Well-being (Wales) Act 2014;”.

17. Yn adran 65 (cymorth ariannol gan awdurdodau lleol i sefydliadau gwirfoddol penodol), yn is-adran (3)(b)—

- (a) hepgorer is-baragraff (iii);
- (b) ar ôl is-baragraff (xxii) mewnosoder—
“(xxiii) section 15 and Part 4 of the Social Services and Well-being (Wales) Act 2014;”.

Deddf Gweinyddu Cyfiawnder 1970 (p. 31)

18. Yn Atodlen 8 i Ddeddf Gweinyddu Cyfiawnder 1970 (gorchmynion cynhaliath at ddibenion Rhan 2 o'r Ddeddf a Deddf 1958), ym mharagraff 6(a) ar ôl “Children Act 1989” mewnosoder “or under paragraph 3 of Schedule 1 to the Social Services and Well-being (Wales) Act 2014”.

Deddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970 (p. 42)

19. Mae Deddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970 wedi ei diwygio fel a ganlyn.

20. Yn adran 1(1) (awdurdodau lleol)—

- (a) yn lle “the councils of non-metropolitan counties, metropolitan districts and London boroughs” rhodder “the councils of non-metropolitan counties and metropolitan districts in England, the councils of London boroughs”;
- (b) hepgorer o “but, in relation to Wales” hyd at y diwedd.

21. Yn adran 6 (cyfarwyddwr gwasanaethau cymdeithasol)—

- (i) omit “Part III of the National Assistance Act 1948”;
- (ii) omit “section 45 of this Act and”;
- (iii) after “2006 Acts” insert “and Part 4 of the Social Services and Well-being (Wales) Act 2014”.

16. In section 64 (financial assistance by Ministers to certain voluntary organisations), in subsection (3)(a)—

- (a) omit sub-paragraph (iii);
- (b) after sub-paragraph (xxii) insert—
“(xxiii) section 15 and Part 4 of the Social Services and Well-being (Wales) Act 2014;”.

17. In section 65 (financial assistance by local authorities to certain voluntary organisations), in subsection (3)(b)—

- (a) omit sub-paragraph (iii);
- (b) after sub-paragraph (xxii) insert—
“(xxiii) section 15 and Part 4 of the Social Services and Well-being (Wales) Act 2014;”.

Administration of Justice Act 1970 (c. 31)

18. In Schedule 8 of the Administration of Justice Act 1970 (maintenance orders for the purposes of Part 2 of the Act and the 1958 Act), in paragraph 6(a) after “Children Act 1989” insert “or under paragraph 3 of Schedule 1 to the Social Services and Well-being (Wales) Act 2014”.

Local Authority Social Services Act 1970 (c. 42)

19. The Local Authority Social Services Act 1970 is amended as follows.

20. In section 1(1) (local authorities)—

- (a) for “the councils of non-metropolitan counties, metropolitan districts and London boroughs” substitute “the councils of non-metropolitan counties and metropolitan districts in England, the councils of London boroughs”;
- (b) omit from “but, in relation to Wales” to the end.

21. In section 6 (director of social services)—

(1) Diwygiwyd adran 1 gan adran 195(1) a (3) o Ddeddf Llywodraeth Leol 1972 (p. 70) a chan adran 22(4) o Ddeddf Llywodraeth Leol (Cymru) 1994 (p. 19) a pharagraff 7 o Atodlen 10 iddi.

(1) Section 1 was amended by the Local Government Act 1972 (c. 70), section 195(1), (3) and by the Local Government (Wales) Act 1994 (c. 19), section 22(4), Schedule 10, paragraph 7.

- (a) yn is-adran (A1)(1), hepgorer “in England”;
- (b) hepgorer is-adran (1);
- (c) yn is-adran (2)(2), yn y ddau le y mae’n digwydd, hepgorer “or (as the case may be) social services”.

22. Yn adran 13 (gorchmynion a rheoliadau), hepgorer is-adran (5).

23. Nid yw’r diwygiadau sydd wedi eu gwneud gan y Rheoliadau hyn i adran 1 o Ddeddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970 yn effeithio ar weithredu unrhyw orchymyn o dan adran 9(1) o’r Ddeddf honno a wnaed cyn i’r diwygiadau hynny ddod i rym.

24. Yn Atodlen 1(3)—

- (a) hepgorer y cofnodion sy’n ymwneud â Deddf Cymorth Gwladol 1948, ac eithrio’r cofnod sy’n ymwneud ag adran 49 o’r Ddeddf honno;
- (b) yn y cofnod sy’n ymwneud â Deddf Gwasanaethau Ymwelwyr Iechyd a Gwaith Cymdeithasol (Hyfforddi) 1962(4) hepgorer “, and as extended by section 45(9) of the Health Services and Public Health Act 1968 (c. 46)”;
- (c) yn y cofnod sy’n ymwneud â Deddf Gwasanaethau Iechyd ac Iechyd y Cyhoedd 1968 hepgorer y cyfeiriad at adran 45;
- (d) hepgorer y cofnod sy’n ymwneud â Deddf Gwaith Cymdeithasol (Yr Alban) 1968(5);
- (e) hepgorer y cofnod sy’n ymwneud â Deddf Plant 1975(6);
- (f) hepgorer y cofnod sy’n ymwneud â Deddf Budd-daliadau Atodol 1976(7);

- (a) in subsection (A1)(1) omit “in England”;
- (b) omit subsection (1);
- (c) in subsection (2)(2), in both places where it occurs, omit “or (as the case may be) social services”.

22. In section 13 (orders and regulations), omit subsection (5).

23. The amendments made by these Regulations to section 1 of the Local Authority Social Services Act 1970 do not affect the operation of any order under section 9(1) of that Act made before the coming into force of those amendments.

24. In Schedule 1(3)—

- (a) omit the entries relating to the National Assistance Act 1948, except the entry relating to section 49 of that Act;
- (b) in the entry relating to the Health Visiting and Social Work (Training) Act 1962(4) omit “, and as extended by section 45(9) of the Health Services and Public Health Act 1968 (c. 46)”;
- (c) in the entry relating to the Health Services and Public Health Act 1968 omit the reference to section 45;
- (d) omit the entry relating to the Social Work (Scotland) Act 1968(5);
- (e) omit the entry relating to the Children Act 1975(6);
- (f) omit the entry relating to the Supplementary Benefits Act 1976(7);

(1) Mewnosodwyd is-adran (A1) gan adran 18(9) a (10) o Ddeddf Plant 2004 a pharagraff 2(1) a (2)(a) o Atodlen 2 iddi.

(2) Diwygiwyd is-adran (2) gan adran 18(9) a (10) o Ddeddf Plant 2004 a pharagraff 2(1) a (2)(c) o Atodlen 2 iddi.

(3) Yn Atodlen 1, diwygiwyd y cofnod sy’n ymwneud â Deddf Gwasanaethau Iechyd ac Iechyd y Cyhoedd 1968 gan adran 129 o Ddeddf y Gwasanaeth Iechyd Gwladol 1977 (p. 49) ac Atodlen 16 iddi a chan adran 57 o Ddeddf Ad-drefnu’r Gwasanaeth Iechyd Gwladol 1973 (p. 32) a pharagraff 131 o Atodlen 4 iddi; mewnosodwyd y cofnod sy’n ymwneud â Deddf Personau Anabl (Gwasanaethau, Ymgynghori a Chynrychioli) 1986 (p. 33) gan adran 107 o Ddeddf Llywodraeth Leol 2000 (p. 22) a pharagraff 7 o Atodlen 5 iddi, ac fe’i diwygiwyd gan O.S. 2010/1158; mewnosodwyd y cofnod sy’n ymwneud â Deddf y Gwasanaeth Iechyd Gwladol a Gofal yn y Gymuned 1990 (p. 19) gan baragraff 11 o Atodlen 9 i’r Ddeddf honno; mewnosodwyd y cofnod sy’n ymwneud â Deddf Gofal Cymunedol (Rhyddhau Gohiriedig etc.) 2003 (p. 5) gan adran 13 o’r Ddeddf honno ac fe’i diwygiwyd gan adran 1 o Ddeddf Gofal Personol yn y Cartref 2010 (p. 18); mewnosodwyd y cofnod sy’n ymwneud â Deddf Plant 2004 (p. 31) gan adran 56 o’r Ddeddf honno ac fe’i diwygiwyd gan adran 195(3)(a) o Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (p. 22).

(4) 1962 p. 33.

(5) 1968 p. 49.

(6) 1975 p. 72.

(7) 1976 p. 71.

(1) Subsection (A1) was inserted by the Children Act 2004, section 18(9), (10), Schedule 2, paragraph 2(1), (2)(a).

(2) Subsection (2) was amended by the Children Act 2004, section 18(9), (10), Schedule 2, paragraph 2(1), (2)(c).

(3) In Schedule 1, the entry relating to the Health Services and Public Health Act 1968 was amended by the National Health Service Act 1977 (c. 49), section 129, Schedule 16, and by the National Health Service Reorganisation Act 1973 (c.32), section 57, Schedule 4, paragraph 131; the entry relating to the Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33) was inserted by the Local Government Act 2000 (c. 22), section 107, Schedule 5, paragraph 7 and amended by S.I. 2010/1158; the entry relating to the National Health Service and Community Care Act 1990 (c. 19) was inserted by Schedule 9, paragraph 11 of that Act; the entry relating to the Community Care (Delayed Discharges etc.) Act 2003 (c. 5) was inserted by section 13 of that Act and amended by the Personal Care at Home Act 2010 (c. 18), section 1; the entry relating to the Children Act 2004 (c. 31) was inserted by section 56 of that Act and amended by the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), section 195(3)(a).

(4) 1962 c. 33.

(5) 1968 c. 49.

(6) 1975 c. 72.

(7) 1976 c. 71.

- (g) hepgorer y cofnod sy'n ymwneud â Deddf Iechyd a Gwasanaethau Cymdeithasol a Dyfarniadau Nawdd Cymdeithasol 1983(1);
- (h) yn y cofnod sy'n ymwneud â Deddf Personau Anabl (Gwasanaethau, Ymgynghori a Chynrychioli) 1986(2)—
 - (i) yn lle “1 to 4” rhodder “1, 2 and 4”;
 - (ii) yn lle “, 7 and 8” rhodder “and 7”;
- (i) yn y cofnod sy'n ymwneud â Deddf y Gwasanaeth Iechyd Gwladol a Gofal yn y Gymuned 1990(3), hepgorer—

- (g) omit the entry relating to the Health and Social Services and Social Security Adjudications Act 1983(1);
- (h) in the entry relating to the Disabled Persons (Services, Consultation and Representation) Act 1986(2)—
 - (i) for “1 to 4” substitute “1, 2 and 4”;
 - (ii) for “, 7 and 8” substitute “and 7”;
- (i) in the entry relating to the National Health Service and Community Care Act 1990(3), omit—

“Section 46

Preparation of plans for community care services”;

- (j) hepgorer y cyfeiriad at Ddeddf Gofalwyr a Phlant Anabl 2000(4);
- (k) yn y cofnod sy'n ymwneud â Deddf Gofal Cymunedol (Rhyddhau Gohiriedig etc.) 2003(5), hepgorer—

“Section 46

Preparation of plans for community care services” ;

- (j) omit the reference to the Carers and Disabled Children Act 2000(4);
- (k) in the entry relating to the Community Care (Delayed Discharges etc.) Act 2003(5), omit—

“Part 2

Functions imposed by regulations relating to eligibility for free provision of personal care to persons living at home. ”;

- (l) hepgorer y cofnod sy'n ymwneud â Deddf Gofalwyr (Cyfle Cyfartal) 2004(6);
- (m) yng Ngholofn 1 o'r cofnod sy'n ymwneud â Deddf Plant 2004(7) yn lle “, 13 to 16 and 31 to 34” rhodder “and 13 to 16”;
- (n) hepgorer y cofnod sy'n ymwneud â Deddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006(8);
- (o) hepgorer y cofnod sy'n ymwneud â Mesur Plant a Theuluoedd (Cymru) 2010(9);
- (p) hepgorer y cofnod sy'n ymwneud â Mesur Codi Ffioedd am Wasanaethau Gofal Cymdeithasol (Cymru) 2010(10);
- (q) hepgorer y cofnod sy'n ymwneud â Mesur Strategaethau ar gyfer Gofalwyr (Cymru) 2010(11);

“Part 2

Functions imposed by regulations relating to eligibility for free provision of personal care to persons living at home. ”;

- (l) omit the entry relating to Carers (Equal Opportunities) Act 2004(6);
- (m) in Column 1 of the entry relating to the Children Act 2004(7) for “, 13 to 16 and 31 to 34” substitute “and 13 to 16”;
- (n) omit the entry relating to the National Health Service (Wales) Act 2006(8);
- (o) omit the entry relating to the Children and Families (Wales) Measure 2010(9);
- (p) omit the entry relating to the Social Care Charges (Wales) Measure 2010(10);
- (q) omit the entry relating to the Carers Strategies (Wales) Measure 2010(11);

(1) 1983 p. 41.
 (2) 1986 p. 33.
 (3) 1990 p. 19.
 (4) 2000 p. 16.
 (5) 2003 p. 5.
 (6) 2004 p. 15.
 (7) 2004 p. 31.
 (8) 2006 p. 42.
 (9) 2010 mccc 1.
 (10) 2010 mccc 2.
 (11) 2010 mccc 5.

(1) 1983 c. 41.
 (2) 1986 c. 33.
 (3) 1990 c. 19.
 (4) 2000 c. 16.
 (5) 2003 c. 5.
 (6) 2004 c. 15.
 (7) 2004 c. 31.
 (8) 2006 c. 42.
 (9) 2010 nawm 1.
 (10) 2010 nawm 2.
 (11) 2010 nawm 5.

(r) hepgorer y cofnod sy'n ymwneud â Mesur Iechyd Meddwl (Cymru) 2010(1).

(r) omit the entry relating to the Mental Health (Wales) Measure 2010(1).

Deddf Cleifion Cronig a Phersonau Anabl 1970 (p. 44)

Chronically Sick and Disabled Persons Act 1970 (c. 44)

25. Mae Deddf Cleifion Cronig a Phersonau Anabl 1970 wedi ei diwygio fel a ganlyn.

25. The Chronically Sick and Disabled Persons Act 1970 is amended as follows.

26. Yn adran 1 (gwybodaeth ynghylch yr angen am wasanaethau lles a'u bodolaeth), hepgorer is-adrannau (1) a (2).

26. In section 1 (information as to need for and existence of welfare services), omit subsections (1) and (2).

27. Yn adran 2 (darparu gwasanaethau lles), hepgorer is-adran (1).

27. In section 2 (provision of welfare services) omit subsection (1).

28. Hepgorer adran 28A (cymhwyso'r Ddeddf i awdurdodau a chanddynt swyddogaethau o dan Ddeddf Plant 1989).

28. Omit section 28A (application of Act to authorities having functions under the Children Act 1989).

Deddf Atafaelu Enillion 1971 (p. 32)

Attachment of Earnings Act 1971 (c. 32)

29. Yn Atodlen 1 i Ddeddf Atafaelu Enillion 1971 (gorchmynion cynhaliaeth y mae'r Ddeddf yn gymwys iddynt), ym mharagraff 7(2) ar ôl "Children Act 1989" mewnosoder " paragraph 3 of Schedule 1 to the Social Services and Well-being (Wales) Act 2014,".

29. In Schedule 1 to the Attachment of Earnings Act 1971 (maintenance orders to which the Act applies), in paragraph 7(2) after "Children Act 1989" insert " paragraph 3 of Schedule 1 to the Social Services and Well-being (Wales) Act 2014,".

Deddf Llywodraeth Leol 1972 (p. 70)

Local Government Act 1972 (c. 70)

30. Yn adran 112 o Ddeddf Llywodraeth Leol 1972 (penodi staff), yn is-adran (4)(g) ar y diwedd mewnosoder "or section 144 of the Social Services and Well-being (Wales) Act 2014".

30. In section 112 of the Local Government Act 1972 (appointment of staff), in subsection (4)(g) at the end insert "or section 144 of the Social Services and Well-being (Wales) Act 2014".

Deddf Digollediad Tir 1973 (p. 26)

Land Compensation Act 1973 (c. 26)

31. Yn adran 38 o Ddeddf Digollediad Tir 1973 (swm taliad aflonyddu ar gyfer personau nad oes ganddynt fuddiannau y gellir digolledu amdanynt), yn is-adran (3), ym mharagraff (a)(3) yn lle "section 29 of the National Assistance Act 1948" rhodder "Part 4 of the Social Services and Well-being (Wales) Act 2014".

31. In section 38 of the Land Compensation Act 1973 (amount of disturbance payment for persons who do not have compensatable interests), in subsection (3), in paragraph (a)(3), for "section 29 of the National Assistance Act 1948" substitute "Part 4 of the Social Services and Well-being (Wales) Act 2014".

Deddf y Lluoedd Wrth Gefn 1980 (p. 9)

Reserve Forces Act 1980 (c. 9)

32. Mae Atodlen 2 i Ddeddf y Lluoedd wrth Gefn 1980 (pensiynwyr y fyddin a'r awyrlu a chyn-filwyr eraill nad ydynt yn agored i gael eu hailalw i wasanaethu) wedi ei diwygio fel a ganlyn—

32. Schedule 2 to the Reserve Forces Act 1980 (army and air-force pensioners and other former soldiers not liable to be recalled for service) is amended as follows—

(1) 2010 mccc 7.
(2) Diwygiwyd paragraff 7 gan baragraff 29 o Atodlen 13 i Ddeddf Plant 1989.
(3) Diwygiwyd adran 38(3)(a) gan baragraff 24 o'r Atodlen i O.S. 2015/914.

(1) 2010 nawm 7.
(2) Paragraph 7 was amended by the Children Act 1989, Schedule 13, paragraph 29.
(3) Section 38(3)(a) was amended by S.I. 2015/914, Schedule, paragraph 24.

- (a) ym mharagraff 2A(1) ar ôl “2014” mewnosoder “or section 18(1) of the Social Services and Well-being (Wales) Act 2014”;
- (b) hepgorer paragraff 3(a).

Deddf Llysoedd Ynadon 1980 (p. 43)

33. Yn adran 62(5)(a) o Ddeddf Llysoedd Ynadon 1980(2) (darpariaethau ynghylch taliadau y mae'n ofynnol eu gwneud i blentyn etc.) ar ôl “Children Act 1989” mewnosoder “or section 74 of the Social Services and Well-being (Wales) Act 2014”.

Deddf Uwchlysoedd 1981 (p. 54)

34. Yn Atodlen 1 i Ddeddf Uwchlysoedd 1981 (dosbarthiad busnes yn yr Uchel Lys) ym mharagraff 3 ar ôl is-baragraff (eb) mewnosoder—

“(ec) proceedings under Part 6 of the Social Services and Well-being (Wales) Act 2014;”.

Deddf Iechyd Meddwl 1983 (p. 20)

35. Mae Deddf Iechyd Meddwl 1983 wedi ei diwygio fel a ganlyn.

36. Yn adran 117B(3) (ôl-ofal: eithriad ar gyfer darparu gofal nyrsio), yn is-adran (1) hepgorer “in England”.

37. Yn adran 135(4) (gwarant i chwilio am gleifion a'u symud i fan diogel), yn is-adran (6) yn lle “Part III of the National Assistance Act 1948” rhodder “Part 4 of the Social Services and Well-being (Wales) Act 2014”.

Deddf Iechyd a Gwasanaethau Cymdeithasol a Dyfarniadau Nawdd Cymdeithasol 1983 (p. 41)

38. Mae Deddf Iechyd a Gwasanaethau Cymdeithasol a Dyfarniadau Nawdd Cymdeithasol 1983 wedi ei diwygio fel a ganlyn.

39. Yn adran 17 (ffioedd am wasanaethau awdurdodau lleol yng Nghymru a Lloegr)—

- (a) in paragraph 2A(1) after “2014” insert “or section 18(1) of the Social Services and Well-being (Wales) Act 2014”;
- (b) omit paragraph 3(a).

Magistrates' Court Act 1980 (c. 43)

33. In section 62(5)(a) of the Magistrates' Court Act 1980(2) (provisions as to payments required to be made to a child etc.) after “Children Act 1989” insert “or section 74 of the Social Services and Well-being (Wales) Act 2014”.

Senior Courts Act 1981 (c. 54)

34. In Schedule 1 to the Senior Courts Act 1981 (distribution of business in High Court) in paragraph 3 after sub-paragraph (eb) insert—

“(ec) proceedings under Part 6 of the Social Services and Well-being (Wales) Act 2014;”.

Mental Health Act 1983 (c. 20)

35. The Mental Health Act 1983 is amended as follows.

36. In section 117B(3) (after-care: exception for provision of nursing care), in subsection (1) omit “in England”.

37. In section 135(4) (warrant to search for and remove patients to place of safety), in subsection (6) for “Part III of the National Assistance Act 1948” substitute “Part 4 of the Social Services and Well-being (Wales) Act 2014”.

Health and Social Services and Social Security Adjudications Act 1983 (c. 41)

38. The Health and Social Services and Social Security Adjudications Act 1983 is amended as follows.

39. In section 17 (charges for local authority services in England and Wales)—

(1) Mewnosodwyd paragraff 2A gan baragraff 26 o'r Atodlen i O.S. 2015/914.
 (2) Amnewidiwyd adran 62(5) gan adran 108(5) o Ddeddf Plant 1989 a pharagraff 44(2) o Atodlen 13 iddi.
 (3) Mewnosodwyd adran 117B gan baragraffau 27 ac 28 o'r Atodlen i O.S. 2015/914.
 (4) Diwygiwyd adran 135(6) gan baragraffau 27 a 29 o'r Atodlen i O.S. 2015/914. Mae diwygiadau eraill nad ydynt yn berthnasol.

(1) Paragraph 2A was inserted by S.I. 2015/914, Schedule, paragraph 26.
 (2) Section 62(5) was substituted by the Children Act 1989, section 108(5), Schedule 13, paragraph 44(2).
 (3) Section 117B was inserted by S.I. 2015/914, Schedule, paragraphs 27, 28.
 (4) Section 135(6) was amended by S.I. 2015/914, Schedule, paragraphs 27, 29. There are other amendments which are not relevant.

- (a) hepgorer is-adrannau (2A)(1) a (5);
- (b) ym mharagraff (a) o is-adran (3) hepgorer “or a service within subsection (2A)(2)”;
- (c) ym mhennawd yr adran, hepgorer y geiriau “and Wales”.

40. Yn adran 22 (ôl-ddyledion cyfraniadau a godir ar fuddiant mewn tir yng Nghymru a Lloegr)—

- (a) ar ôl is-adran (2B)(3) mewnosoder—
“(2C) A local authority in Wales may not create, or be required by directions under subsection (2A) to create, a charge under this section on or after the day on which section 2 of the Social Services and Well-being (Wales) Act 2014 came into force.”;

- (b) ar ôl is-adran (3A)(4) mewnosoder—
“(3B) Subject to subsection (5) below, a charge under this section created by a local authority in Wales shall be in respect of any amount which is outstanding from time to time and is—

- (a) assessed as due to be paid by the person to the authority for the Part III accommodation, or
- (b) due by the person to the authority under Part 5 of the Social Services and Well-being (Wales) Act 2014 in respect of meeting needs for care and support by the provision of accommodation for the person, including anything provided in connection with that accommodation.”;

- (c) yn is-adran (4)(5), hepgorer “Wales or”.

Deddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984
(p. 22)

41. Yn adran 46 o Ddeddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984 (claddu ac amlosgi), yn lle is-adran (2)(6) rhodder—

“(2) Any council which is the local authority for the purposes of the Local Authority Social

- (a) omit subsections (2A)(1) and (5);
- (b) in paragraph (a) of subsection (3) omit “or a service within subsection (2A)(2)”;
- (c) in the heading to the section, omit the words “and Wales”.

40. In section 22 (arrears of contributions charged on interest in land in England and Wales)—

- (a) after subsection (2B)(3) insert—
“(2C) A local authority in Wales may not create, or be required by directions under subsection (2A) to create, a charge under this section on or after the day on which section 2 of the Social Services and Well-being (Wales) Act 2014 came into force.”;

- (b) after subsection (3A)(4) insert—
“(3B) Subject to subsection (5) below, a charge under this section created by a local authority in Wales shall be in respect of any amount which is outstanding from time to time and is—

- (a) assessed as due to be paid by the person to the authority for the Part III accommodation, or
- (b) due by the person to the authority under Part 5 of the Social Services and Well-being (Wales) Act 2014 in respect of meeting needs for care and support by the provision of accommodation for the person, including anything provided in connection with that accommodation.”;

- (c) in subsection (4)(5) omit “Wales or”.

Public Health (Control of Disease) Act 1984 (c. 22)

41. In section 46 of the Public Health (Control of Disease) Act 1984 (burial and cremation), for subsection (2)(6) substitute—

“(2) Any council which is the local authority for the purposes of the Local Authority Social

(1) Mewnosodwyd adran 17(2A), o ran Cymru, gan adran 14(1) a (4) o Fesur Codi Ffioedd am Wasanaethau Gofal Cymdeithasol (Cymru) 2010.

(2) Diwygiwyd adran 17(3)(a) gan baragraffau 30 ac 31(1) a (4) o'r Atodlen i O.S. 2015/914.

(3) Mewnosodwyd adran 22(2B) gan baragraffau 30 a 32(1) a (2) o'r Atodlen i O.S. 2015/914.

(4) Mewnosodwyd adran 22(3A) gan baragraffau 30 a 32(1) a (3) o'r Atodlen i O.S. 2015/914.

(5) Diwygiwyd adran 22(3) gan baragraffau 30 a 32(1) a (4) o'r Atodlen i O.S. 2015/914.

(6) Diwygiwyd adran 46(2) gan baragraff 34(a) a (b) o'r Atodlen i O.S. 2015/914.

(1) Section 17(2A) was inserted, in relation to Wales, by the Social Care Charges (Wales) Measure 2010, section 14(1), (4).

(2) Section 17(3)(a) was amended by S.I. 2015/914, Schedule, paragraphs 30, 31(1), (4).

(3) Section 22(2B) was inserted by S.I. 2015/914, Schedule, paragraphs 30, 32(1), (2).

(4) Section 22(3A) was inserted by S.I. 2015/914, Schedule, paragraphs 30, 32(1), (3).

(5) Section 22(3) was amended by S.I. 2015/914, Schedule, paragraphs 30, 32(1), (4).

(6) Section 46(2) was amended by S.I. 2015/914, Schedule, paragraph 34(a) and (b).

Services Act 1970 may cause to be buried or cremated the body of any deceased person who immediately before his death was being provided with accommodation under Part 1 of the Care Act 2014.

(2A) A local authority within the meaning of the Social Services and Well-being (Wales) Act 2014 may cause to be buried or cremated the body of any deceased person who immediately before his death was being provided with accommodation under Part 4 of that Act.”

Deddf Achosion Priodasol a Theuluol 1974 (p. 42)

42. Yn adran 31L(8)(a)(i) o Ddeddf Achosion Priodasol a Theuluol 1984(1) (gorfodi) ar ôl “Children Act 1989” mewnosoder “or section 74 of the Social Services and Well-being (Wales) Act 2014”.

Deddf Trafndiaeth 1985 (p. 67)

43. Mae Deddf Trafndiaeth 1985 wedi ei diwygio fel a ganlyn.

44. Yn adran 104 (consesiynau teithio) yn is-adran (2)(b)(2), yn lle paragraff (ii) rhodder—

“(ii) by any local authority within the meaning of the Social Services and Well-being (Wales) Act 2014 in the discharge of their functions under Part 4 of that Act (meeting needs).”

45. Yn adran 137(1) (dehongli cyffredinol), yn y diffiniad o “social services functions” ar y diwedd mewnosoder “or the Social Services and Well-being (Wales) Act 2014”.

Deddf Personau Anabl (Gwasanaethau, Ymgynghori a Chynrychioli) 1986 (p. 33)

46. Mae Deddf Personau Anabl (Gwasanaethau, Ymgynghori a Chynrychioli) 1986 wedi ei diwygio fel a ganlyn.

47. Yn adran 2(5) (hawliau cynrychiolwyr awdurdodedig personau anabl)—

(a) ym mharagraff (b)(3), yn lle “Part III of the 1948 Act or Part 1 of the Care Act 2014” rhodder “Part 1 of the Care Act 2014 or Part 4 of the Social Services and Well-being (Wales) Act 2014”;

Services Act 1970 may cause to be buried or cremated the body of any deceased person who immediately before his death was being provided with accommodation under Part 1 of the Care Act 2014.

(2A) A local authority within the meaning of the Social Services and Well-being (Wales) Act 2014 may cause to be buried or cremated the body of any deceased person who immediately before his death was being provided with accommodation under Part 4 of that Act.”

Matrimonial and Family Proceedings Act 1984 (c. 42)

42. In section 31L(8)(a)(i) of the Matrimonial and Family Proceedings Act 1984(1) (enforcement) after “Children Act 1989” insert “or section 74 of the Social Services and Well-being (Wales) Act 2014”.

Transport Act 1985 (c. 67)

43. The Transport Act 1985 is amended as follows.

44. In section 104 (travel concessions) in subsection (2)(b)(2), for paragraph (ii) substitute—

“(ii) by any local authority within the meaning of the Social Services and Well-being (Wales) Act 2014 in the discharge of their functions under Part 4 of that Act (meeting needs).”

45. In section 137(1) (general interpretation), in the definition of “social services functions” at the end insert “or the Social Services and Well-being (Wales) Act 2014”.

Disabled Persons (Services, Consultation and Representation) Act 1986 (c. 33)

46. The Disabled Persons (Services, Consultation and Representation) Act 1986 is amended as follows.

47. In section 2(5) (rights of authorised representatives of disabled persons)—

(a) in paragraph (b)(3), for “Part III of the 1948 Act or Part 1 of the Care Act 2014” substitute “Part 1 of the Care Act 2014 or Part 4 of the Social Services and Well-being (Wales) Act 2014”;

(1) Mewnosodwyd adran 31L gan baragraff 1 o Atodlen 10 i Ddeddf Troseddau a'r Llysoedd 2013 (p. 22).
(2) Diwygiwyd adran 104(2)(b) gan baragraff 35 o'r Atodlen i O.S. 2015/914.
(3) Diwygiwyd adran 2(5)(b) gan baragraffau 36 a 37(a) o'r Atodlen i O.S. 2015/914.

(1) Section 31L was inserted by the Crime and Courts Act 2013 (c. 22), Schedule 10, paragraph 1.
(2) Section 104(2)(b) was amended by S.I. 2015/914, Schedule, paragraph 35.
(3) Section 2(5)(b) was amended by S.I. 2015/914, Schedule, paragraphs 36, 37(a).

- (b) ym mharagraff (bb)(1) ar ôl “Part III of the Children Act 1989” mewnosoder “, or under Part 6 of the Social Services and Well-being (Wales) Act 2014”;
- (c) ym mharagraff (c)(2), yn lle “section 26 of the 1948 Act or Part 1 of the Care Act 2014” rhodder “Part 1 of the Care Act 2014 or, in Wales, in compliance with a local authority’s duty to meet the needs of the disabled person pursuant to Part 4 of the Social Services and Well-being (Wales) Act 2014”; a
- (d) ym mharagraff (cc)(3) ar ôl “under section 17 of the Children Act 1989” mewnosoder “, or under Part 4 of the Social Services and Well-being (Wales) Act 2014”.

48. Yn adran 3 (asesu anghenion personau anabl gan awdurdodau lleol yng Nghymru neu’r Alban)—

- (a) yn is-adran (1)(4) hepgorer “Wales or”;
- (b) ym mhennawd yr adran(5) hepgorer “Wales or”.

49. Yn adran 4(6) (gwasanaethau o dan adran 2 o Ddeddf Cleifion Cronig a Phersonau Anabl 1970: dyletswydd i ystyried anghenion personau anabl)—

- (a) yn is-adran (1)—
 - (i) ar ôl “local authority” mewnosoder “in England”;
 - (ii) yn lle “section 2(1) or (4)” rhodder “section 2(4)”;
- (b) yn is-adran (2) hepgorer “In the case of a local authority in England”.

50. Yn adran 8 (dyletswydd awdurdod lleol yng Nghymru neu’r Alban i ystyried galluoedd gofalwr)—

- (a) yn is-adran (1)(b)(7) hepgorer “Wales or”;
- (b) ym mhennawd yr adran(8) hepgorer “Wales or”.

51. Yn adran 16(1) (dehongli)—

- (b) in paragraph (bb)(1) after “Part III of the Children Act 1989” insert “, or under Part 6 of the Social Services and Well-being (Wales) Act 2014”;
- (c) in paragraph (c)(2), for “section 26 of the 1948 Act or Part 1 of the Care Act 2014” substitute “Part 1 of the Care Act 2014 or, in Wales, in compliance with a local authority’s duty to meet the needs of the disabled person pursuant to Part 4 of the Social Services and Well-being (Wales) Act 2014”; and
- (d) in paragraph (cc)(3) after “under section 17 of the Children Act 1989” insert “, or under Part 4 of the Social Services and Well-being (Wales) Act 2014”.

48. In section 3 (assessment by local authorities in Wales or Scotland of needs of disabled persons)—

- (a) in subsection (1)(4) omit “Wales or”;
- (b) in the heading to the section(5) omit “Wales or”.

49. In section 4(6) (services under section 2 of the Chronically Sick and Disabled Persons Act 1970: duty to consider needs of disabled persons)—

- (a) in subsection (1)—
 - (i) after “local authority” insert “in England”;
 - (ii) for “section 2(1) or (4)” substitute “section 2(4)”;
- (b) in subsection (2) omit “In the case of a local authority in England”.

50. In section 8 (duty of local authority in Wales or Scotland to take into account abilities of carer)—

- (a) in subsection (1)(b)(7) omit “Wales or”;
- (b) in the heading to the section(8) omit “Wales or”.

51. In section 16(1) (interpretation)

(1) Mewnosodwyd adran 2(5)(bb) gan baragraff 59(3) o Atodlen 13 i Ddeddf Plant 1989.

(2) Diwygiwyd adran 2(5)(c) gan baragraffau 36 a 37(b) o’r Atodlen i O.S. 2015/914.

(3) Mewnosodwyd adran 2(5)(cc) gan baragraff 59(4) o Atodlen 13 i Ddeddf Plant 1989.

(4) Diwygiwyd adran 3(1) gan baragraffau 36 a 38(1) o’r Atodlen i O.S. 2015/914.

(5) Diwygiwyd pennawd adran 3 gan baragraffau 36 a 38(2) o’r Atodlen i O.S. 2015/914.

(6) Diwygiwyd adran 4 gan baragraffau 36 a 39(1), (2), (3) a (4) o’r Atodlen i O.S. 2015/914.

(7) Diwygiwyd adran 8(1)(b) gan baragraffau 36 a 40(1) o’r Atodlen i O.S. 2015/914.

(8) Diwygiwyd pennawd adran 8 gan baragraffau 36 a 40(2) o’r Atodlen i O.S. 2015/914.

(1) Section 2(5)(bb) was inserted by the Children Act 1989, Schedule 13, paragraph 59(3).

(2) Section 2(5)(c) was amended by S.I. 2015/914, Schedule, paragraphs 36, 37(b).

(3) Section 2(5)(cc) was inserted by the Children Act 1989, Schedule 13, paragraph 59(4).

(4) Section 3(1) was amended by S.I. 2015/914 Schedule, paragraphs 36, 38(1).

(5) The heading to section 3 was amended by S.I. 2015/914, Schedule, paragraphs 36, 38(2).

(6) Section 4 was amended by S.I. 2015/914, Schedule, paragraphs 36, 39(1), (2), (3) and (4).

(7) Section 8(1)(b) was amended by S.I. 2015/914, Schedule, paragraphs 36, 40(1).

(8) The heading to section 8 was amended by S.I. 2015/914, Schedule, paragraphs 36, 40(2).

- (a) yn y diffiniad o “disabled person”, yn lle paragraff (a)(1) rhodder—

“(a) in relation to Wales means a person who is disabled within the meaning of section 3 of the Social Services and Well-being (Wales) Act 2014; and”;

- (b) yn y diffiniad o “local authority”—

(i) ar ôl “1970” mewnosoder “or the Social Services and Well-being (Wales) Act 2014”;

(ii) yn lle “that Act” rhodder “the 1970 Act”;

- (c) yn y diffiniad o “the welfare enactments”—

(i) hepgorer “Part III of the 1948 Act, section 2 of the 1970 Act and”;

(ii) ym mharagraff (za)(2), ar ôl “England,” mewnosoder “section 2 of the 1970 Act,”;

(iii) ym mharagraff (a)(3), yn lle’r geiriau o “Schedule 15” hyd at ddiwedd y paragraff mewnosoder “Parts 4 and 6 of the Social Services and Well-being (Wales) Act 2014”;

- (d) yn lle is-adran (2)(4) rhodder—

“(2) In this Act as it applies in relation to England, any reference to a child who is looked after by a local authority has the same meaning as in Part 3 of the Children Act 1989.

(2ZA) In this Act as it applies in relation to Wales, any reference to a child who is looked after by a local authority has the same meaning as in Part 6 of the Social Services and Well-being (Wales) Act 2014.”

Deddf Cyllid Llywodraeth Leol 1988 (p. 41)

52.—(1) Yn Atodlen 5 i Ddeddf Cyllid Llywodraeth Leol 1988 (ardrethu annomestig: eithriad), mae paragraff 16 wedi ei ddiwygio fel a ganlyn.

- (2) Yn lle is-baragraff (2)(5) rhodder—

“(2) For the purposes of this paragraph in its application to hereditaments in Wales, a person is disabled if he is disabled within the meaning

- (a) in the definition of “disabled person”, for paragraph (a)(1) substitute—

“(a) in relation to Wales means a person who is disabled within the meaning of section 3 of the Social Services and Well-being (Wales) Act 2014; and”;

- (b) in the definition of “local authority”—

(i) after “1970” insert “or the Social Services and Well-being (Wales) Act 2014”;

(ii) for “that Act” substitute “the 1970 Act”;

- (c) in the definition of “the welfare enactments”—

(i) omit “Part III of the 1948 Act, section 2 of the 1970 Act and”;

(ii) in paragraph (za)(2), after “England,” insert “section 2 of the 1970 Act,”;

(iii) in paragraph (a)(3), for the words from “Schedule 15” to the end of the paragraph insert “Parts 4 and 6 of the Social Services and Well-being (Wales) Act 2014”;

- (d) for subsection (2)(4) substitute—

“(2) In this Act as it applies in relation to England, any reference to a child who is looked after by a local authority has the same meaning as in Part 3 of the Children Act 1989.

(2ZA) In this Act as it applies in relation to Wales, any reference to a child who is looked after by a local authority has the same meaning as in Part 6 of the Social Services and Well-being (Wales) Act 2014.”

Local Government Finance Act 1988 (c. 41)

52.—(1) In Schedule 5 to the Local Government Finance Act 1988 (non-domestic rating: exemption), paragraph 16 is amended as follows.

- (2) For sub-paragraph (2)(5) substitute—

“(2) For the purposes of this paragraph in its application to hereditaments in Wales, a person is disabled if he is disabled within the meaning

(1) Diwygiwyd paragraff (a) yn y diffiniad o “disabled person” gan baragraff 61 o Atodlen 13 i Ddeddf Plant 1989 a chan baragraffau 36 ac 41(1) a (3) o’r Atodlen i O.S. 2015/914.
(2) Mewnosodwyd paragraff (za) yn y diffiniad o “welfare enactments” gan baragraffau 36 ac 41(1) a (4) o’r Atodlen i O.S. 2015/914.
(3) Diwygiwyd paragraff (a) yn y diffiniad o “welfare enactments” gan baragraffau 36 ac 41(1) a (5) o’r Atodlen i O.S. 2015/914 a chan baragraff 61 o Atodlen 13 i Ddeddf Plant 1989.
(4) Mewnosodwyd adran 16(2) gan baragraff 61 o Atodlen 13 i Ddeddf Plant 1989.
(5) Diwygiwyd is-baragraff (2) gan baragraff 42(1) a (3) o’r Atodlen i O.S. 2015/914.

(1) Paragraph (a) in the definition of “disabled person” was amended by the Children Act 1989, Schedule 13, paragraph 61 and by S.I. 2015/914, Schedule, paragraphs 36, 41(1), (3).
(2) Paragraph (za) in the definition of “welfare enactments” was inserted by S.I. 2015/914, Schedule, paragraphs 36, 41(1), (4).
(3) Paragraph (a) in the definition of “welfare enactments” was amended by S.I. 2015/914, Schedule, paragraphs 36, 41(1), (5) and by the Children Act 1989, Schedule 13, paragraph 61.
(4) Section 16(2) was inserted by the Children Act 1989, Schedule 13, paragraph 61.
(5) Sub-paragraph (2) was amended by S.I. 2015/914, Schedule, paragraph 42(1) and (3).

of section 3 of the Social Services and Well-being (Wales) Act 2014.”

(3) Yn lle is-baragraff (4)(1) rhodder—

“(4) “Welfare services for disabled persons” means services or facilities (by whomsoever provided)—

- (a) of a kind which a local authority in England had power to provide under section 29 of the National Assistance Act 1948 before it ceased to apply to local authorities in England;
- (b) of a kind which a local authority in Wales has power to provide, or arrange to provide, to an adult in the exercise of its functions under sections 35 or 36 of the Social Services and Well-being (Wales) Act 2014.”

Deddf Nawdd Cymdeithasol 1989 (p. 24)

53. Mae Deddf Nawdd Cymdeithasol 1989 wedi ei diwygio fel a ganlyn.

54. Yn Atodlen 5—

- (a) ym mharagraff 5A(7A)(a)(2) (darpariaethau absenoldeb tadolaeth annheg) ar ôl “Children Act 1989” mewnosoder “or section 81 of the Social Services and Well-being (Wales) Act 2014”;
- (b) yn lle paragraff 5A(7A)(b) rhodder—
 - “(b) in relation to that child, the member satisfies the conditions prescribed under section 171ZB(2)(a)(i) and (ii) of the Social Security Contributions and Benefits Act 1992, as modified—
 - (i) in relation to a local authority in England, by section 171ZB(8) of that Act (cases involving the placing of a child by a local authority in England with a local authority foster parent who has been approved as a prospective adopter);
 - (ii) in relation to a local authority in Wales, by section 171ZB(10) of that Act (cases involving the placing of a child by a local authority in Wales with a local authority foster parent who has

of section 3 of the Social Services and Well-being (Wales) Act 2014.”

(3) For sub-paragraph (4)(1) substitute—

“(4) “Welfare services for disabled persons” means services or facilities (by whomsoever provided)—

- (a) of a kind which a local authority in England had power to provide under section 29 of the National Assistance Act 1948 before it ceased to apply to local authorities in England;
- (b) of a kind which a local authority in Wales has power to provide, or arrange to provide, to an adult in the exercise of its functions under sections 35 or 36 of the Social Services and Well-being (Wales) Act 2014.”

Social Security Act 1989 (c. 24)

53. The Social Security Act 1989 is amended as follows.

54. In Schedule 5—

- (a) in paragraph 5A(7A)(a)(2) (unfair paternity leave provisions) after “Children Act 1989” insert “or section 81 of the Social Services and Well-being (Wales) Act 2014”;
- (b) for paragraph 5A(7A)(b) substitute—
 - “(b) in relation to that child, the member satisfies the conditions prescribed under section 171ZB(2)(a)(i) and (ii) of the Social Security Contributions and Benefits Act 1992, as modified—
 - (i) in relation to a local authority in England, by section 171ZB(8) of that Act (cases involving the placing of a child by a local authority in England with a local authority foster parent who has been approved as a prospective adopter);
 - (ii) in relation to a local authority in Wales, by section 171ZB(10) of that Act (cases involving the placing of a child by a local authority in Wales with a local authority foster parent who has

(1) Diwygiwyd is-baragraff (4) gan baragraff 42(1) a (4) o'r Atodlen i O.S. 2015/914.

(2) Mewnosodwyd paragraff 5A gan adran 265(1) o Ddeddf Pensiynau 2004 a mewnosodwyd is-baragraff (7A) gan baragraffau 1 a 2(1) a (5) o Atodlen 7 i Ddeddf Plant a Theuluoedd 2014.

(1) Sub-paragraph (4) was amended by S.I. 2015/914, Schedule, paragraph 42(1) and (4).

(2) Paragraph 5A was inserted by the Pensions Act 2004, section 265(1) and sub-paragraph (7A) was inserted by the Children and Families Act 2014, Schedule 7, paragraphs 1, 2(1), (5).

- been approved as a prospective adopter”;
- (c) ym mharagraff 5B(7)(a)(1) (darpariaethau absenoldeb mabwysiadu annheg) ar ôl “Children Act 1989” mewnosoder “or section 81 of the Social Services and Well-being (Wales) Act 2014”;
- (d) yn lle paragraff 5B(7)(b) rhodder—
- “(b) in relation to that child, the member satisfies the condition in section 171ZL(2)(a) of the Social Security Contributions and Benefits Act 1992, as modified—
- (i) in relation to a local authority in England, by section 171ZL(9) of that Act (cases involving the placing of a child by a local authority foster parent who has been approved as a prospective adopter);
- (ii) in relation to a local authority in Wales, by section 171ZL(11) of that Act (cases involving the placing of a child by a local authority foster parent who has been approved as a prospective adopter).”;
- (e) yn lle paragraff 5C(8)(a)(2) (darpariaethau absenoldeb rhiant a rennir annheg) rhodder—
- “(a) the member’s absence from work is due to the placement of a child under—
- (i) section 22C of the Children Act 1989 by a local authority in England, or
- (ii) section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales,
- with a local authority foster parent who has been approved as a prospective adopter.”;
- (f) ym mharagraff 5C(8)(b)(i) ar ôl “Children Act 1989” mewnosoder “or section 81 of the Social Services and Well-being (Wales) Act 2014”;
- (g) ym mharagraff 5C(8)(b)(ii) ar ôl “England” mewnosoder “or Wales”.

- been approved as a prospective adopter”;
- (c) in paragraph 5B(7)(a)(1) (unfair adoption leave provisions) after “Children Act 1989” insert “or section 81 of the Social Services and Well-being (Wales) Act 2014”;
- (d) for paragraph 5B(7)(b) substitute—
- “(b) in relation to that child, the member satisfies the condition in section 171ZL(2)(a) of the Social Security Contributions and Benefits Act 1992, as modified—
- (i) in relation to a local authority in England, by section 171ZL(9) of that Act (cases involving the placing of a child by a local authority foster parent who has been approved as a prospective adopter);
- (ii) in relation to a local authority in Wales, by section 171ZL(11) of that Act (cases involving the placing of a child by a local authority foster parent who has been approved as a prospective adopter).”;
- (e) for paragraph 5C(8)(a)(2) (unfair shared parental leave provisions) substitute—
- “(a) the member’s absence from work is due to the placement of a child under—
- (i) section 22C of the Children Act 1989 by a local authority in England, or
- (ii) section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales,
- with a local authority foster parent who has been approved as a prospective adopter.”;
- (f) in paragraph 5C(8)(b)(i) after “Children Act 1989” insert “or section 81 of the Social Services and Well-being (Wales) Act 2014”;
- (g) in paragraph 5C(8)(b)(ii) after “England” insert “or Wales”.

(1) Mewnosodwyd paragraff 5B gan adran 265(1) o Ddeddf Pensiynau 2004 a mewnosodwyd is-baragraff (7) gan baragraffau 1 a 3(1) a (3) o Atodlen 7 i Ddeddf Plant a Theuluoedd 2014.

(2) Mewnosodwyd paragraff 5C gan baragraffau 1 a 4 o Atodlen 7 i Ddeddf Plant a Theuluoedd 2014.

(1) Paragraph 5B was inserted by the Pensions Act 2004, section 265(1) and sub-paragraph (7) was inserted by the Children and Families Act 2014, Schedule 7, paragraphs 1, 3(1), (3).

(2) Paragraph 5C was inserted by the Children and Families Act 2014, Schedule 7, paragraphs 1, 4.

55. Mae Deddf Plant 1989(1) wedi ei diwygio fel a ganlyn.

56. Yn is-adran (11) o adran 14F(2) (gwasanaethau cymorth gwarcheidiaeth arbennig)—

- (a) ar ôl “local authority” yn y lle cyntaf y mae’n digwydd mewnosoder “in England”;
- (b) ar ddiwedd yr is-adran mewnosoder “and see sections 164 and 164A of the Social Services and Well-being (Wales) Act 2014 for provision about co-operation between local authorities in Wales and other bodies.”

57.—(1) Ar ôl y pennawd yn Rhan 3 mewnosoder—
“*Application to local authorities in England*”

Application to local authorities in England

16B.—(1) This Part applies in relation to local authorities in England.

(2) Accordingly, unless the contrary intention appears, a reference in this Part to a local authority means a local authority in England.”

(2) Yn lle pennawd Rhan 3 rhodder—

“SUPPORT FOR CHILDREN AND FAMILIES PROVIDED BY LOCAL AUTHORITIES IN ENGLAND”.

58. Yn adran 17 (darparu gwasanaethau ar gyfer plant mewn angen, eu teuluoedd ac eraill)—

- (a) yn is-adran (4)(3) yn lle “appropriate national authority” rhodder “Secretary of State”;
- (b) ar ddiwedd yr adran mewnosoder—

“(13) The duties imposed on a local authority by virtue of this section do not apply in relation to a child in the authority’s area who is being looked after by a local authority in Wales in accordance with Part 6 of the Social Services and Well-being (Wales) Act 2014.”

55. The Children Act 1989(1) is amended as follows.

56. In subsection (11) of section 14F(2) (special guardianship support services)—

- (a) after “local authority” in the first place it occurs insert “in England”;
- (b) at the end of the subsection insert “and see sections 164 and 164A of the Social Services and Well-being (Wales) Act 2014 for provision about co-operation between local authorities in Wales and other bodies.”

57.—(1) After the heading in Part 3 insert—
“*Application to local authorities in England*”

Application to local authorities in England

16B.—(1) This Part applies in relation to local authorities in England.

(2) Accordingly, unless the contrary intention appears, a reference in this Part to a local authority means a local authority in England.”

(2) For the heading to Part 3 substitute—

“SUPPORT FOR CHILDREN AND FAMILIES PROVIDED BY LOCAL AUTHORITIES IN ENGLAND”.

58. In section 17 (provision of services for children in need, their families and others)—

- (a) in subsection (4)(3) for “appropriate national authority” substitute “Secretary of State”;
- (b) at the end of the section insert—

“(13) The duties imposed on a local authority by virtue of this section do not apply in relation to a child in the authority’s area who is being looked after by a local authority in Wales in accordance with Part 6 of the Social Services and Well-being (Wales) Act 2014.”

(1) 1989 p. 41 (“Deddf 1989”). Trosglwyddwyd swyddogaethau'r Ysgrifennydd Gwladol o dan Ddeddf 1989 i Gynulliad Cenedlaethol Cymru yn rhinwedd cynnwys Deddf 1989 yn Atodlen 1 i Orchymyn Cynulliad Cenedlaethol Cymru (Trosglwyddo Swyddogaethau) 1999 (O.S. 1999/672). Mae swyddogaethau Cynulliad Cenedlaethol Cymru o dan Ddeddf 1989 wedi eu trosglwyddo i Weinidogion Cymru yn rhinwedd paragraff 30 o Atodlen 11 i Ddeddf Llywodraeth Cymru 2006 (p. 32).

(2) Mewnosodwyd adran 14F gan adran 115(1) o Ddeddf Mabwysiadu a Phlant 2002 (p. 38).

(3) Mewnosodwyd adran 17(4) gan adran 39 o Ddeddf Plant a Phobl Ifanc 2008 (p. 23) a pharagraffau 1 a 2 o Atodlen 3 iddi.

(1) 1989 c. 41 (“the 1989 Act”). The functions of the Secretary of State under the 1989 Act were transferred to the National Assembly for Wales by virtue of the inclusion of the 1989 Act in the Schedule 1 to the National Assembly for Wales (Transfer of Functions) Order 1999 (S.I. 1999/672). The functions of the National Assembly for Wales under the 1989 Act have been transferred to the Welsh Ministers by virtue of paragraph 30 of Schedule 11 to the Government of Wales Act 2006 (c. 32).

(2) Section 14F was inserted by the Adoption and Children Act 2002 (c. 38), section 115(1).

(3) Section 17(4) was inserted by the Children and Young Persons Act 2008 (c. 23), section 39, Schedule 3, paragraphs 1 and 2..

59. Yn adran 17ZA(1) (asesiadau o anghenion gofalwyr ifanc: Lloegr)—

- (a) yn is-adran (1) hepgorer “in England”;
- (b) yn is-adran (12) hepgorer “in England”;
- (c) yn y pennawd hepgorer “: England”.

60. Yn adran 17ZD(2) (asesiadau o anghenion gofalwyr sy’n rhieni: Lloegr)—

- (a) yn is-adran (1) hepgorer “in England”;
- (b) yn is-adran (14) hepgorer “in England”;
- (c) yn y pennawd hepgorer “: England”.

61. Yn adran 17ZG(1)(a)(3) (gwasanaethau adran 17: parhau â darpariaeth pan fo cynllun addysg, iechyd a gofal yn cael ei gynnal) hepgorer “in England”.

62. Yn adran 17ZH(4) (gwasanaethau adran 17: trosglwyddo plant i ofal a chymorth oedolion)—

- (a) yn is-adran (1) hepgorer “in England”;
- (b) yn is-adran (5) hepgorer “in England”.

63. Yn adran 17ZI(1) (gwasanaethau adran 17: darparu ar ôl i gynllun addysg, iechyd a gofal beidio â chael ei gynnal mwyach) hepgorer “in England”.

64. Yn adran 17A(1)(5) (taliadau uniongyrchol) yn lle “appropriate national authority” rhodder “Secretary of State”.

65. Hefgorer adran 17B(6) (talebau i bersonau a chanddynt gyfrifoldeb rhiant dros blant anabl).

66. Yn adran 18(7) (gofal dydd i blant cyn ysgol a phlant eraill)—

- (a) hepgorer is-adran (2);
- (b) hepgorer is-adran (6).

59. In section 17ZA(1) (young carers’ needs assessments: England)—

- (a) in subsection (1) omit “in England”;
- (b) in subsection (12) omit “in England”;
- (c) in the heading omit “: England”.

60. In section 17ZD(2) (parent carers’ needs assessments: England)—

- (a) in subsection (1) omit “in England”;
- (b) in subsection (14) omit “in England”;
- (c) in the heading omit “: England”.

61. In section 17ZG(1)(a)(3) (section 17 services: continued provision where EHC plan is maintained) omit “in England”.

62. In section 17ZH(4) (section 17 services: transition for children to adult care and support)—

- (a) in subsection (1) omit “in England”;
- (b) in subsection (5) omit “in England”.

63. In section 17ZI(1) (section 17 services: provision after EHC plan no longer maintained) omit “in England”.

64. In section 17A(1)(5) (direct payments) for “appropriate national authority” substitute “Secretary of State”.

65. Omit section 17B(6) (vouchers for persons with parental responsibility for disabled children).

66. In section 18(7) (day care for pre-school and other children)—

- (a) omit subsection (2);
- (b) omit subsection (6).

(1) Mewnosodwyd adran 17ZA (ac mae’n gymwys i awdurdodau lleol yn Lloegr yn unig) gan adran 96(1) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(2) Mewnosodwyd adran 17ZD (ac mae’n gymwys i awdurdodau lleol yn Lloegr yn unig) gan adran 97(1) o Ddeddf Plant a Theuluoedd 2014.

(3) Mewnosodwyd adran 17ZG gan adran 50 o Ddeddf Plant a Theuluoedd 2014.

(4) Mewnosodwyd adrannau 17ZH a 17ZI gan adran 66(1) o Ddeddf Gofal 2014 (p. 23).

(5) Amnewidiwyd adran 17A gan adran 58 o Ddeddf Iechyd a Gofal Cymdeithasol 2001 (p. 15); diwygiwyd is-adran (1) gan baragraffau 1 a 3 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23). Mae diwygiadau eraill i adran 17A nad ydynt yn berthnasol.

(6) Mewnosodwyd adran 17B gan adran 7(1) o Ddeddf Gofalwyr a Phlant Anabl 2000 (p. 16); fe’i diwygiwyd yn rhagolygol gan baragraffau 1 a 4 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23) a chan baragraffau 43 a 47(1) o’r Atodlen i O.S. 2015/914.

(7) Diwygiwyd adran 18 gan baragraff 4 o Atodlen 2 i Ddeddf Gofal Plant 2006 (p. 21).

(1) Section 17ZA was inserted (and applies to local authorities in England only) by the Children and Families Act 2014 (c. 6), section 96(1).

(2) Section 17ZD was inserted (and applies to local authorities in England only) by the Children and Families Act 2014, section 97(1).

(3) Section 17ZG was inserted by the Children and Families Act 2014, section 50.

(4) Sections 17ZH and 17ZI were inserted by the Care Act 2014 (c. 23), section 66(1).

(5) Section 17A was substituted by the Health and Social Care Act 2001 (c. 15), section 58; subsection (1) was amended by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 3. There are other amendments to section 17A which are not relevant.

(6) Section 17B was inserted by the Carers and Disabled Children Act 2000 (c.16), section 7(1); it was prospectively amended by the Children and Young Persons Act 2008 (c.23), Schedule 3, paragraphs 1 and 4, and by S.I. 2015/914, paragraphs 43 and 47(1) of the Schedule.

(7) Section 18 was amended by the Childcare Act 2006 (c. 21), Schedule 2, paragraph 4.

67. Yn adran 20 (darparu llety i blant: cyffredinol)—

(a) yn is-adran (2)(b) ar ôl “prescribed” mewnosoder “in regulations made by the Secretary of State”;

(b) ar ôl is-adran (2) mewnosoder—

“(2A) Where a local authority in Wales provide accommodation under section 76(1) of the Social Services and Well-being (Wales) Act 2014 (accommodation for children without parents or who are lost or abandoned etc.) for a child who is ordinarily resident in the area of a local authority in England, that local authority in England may take over the provision of accommodation for the child within—

(a) three months of being notified in writing that the child is being provided with accommodation; or

(b) such other longer period as may be prescribed in regulations made by the Secretary of State.”

68. Yn adran 21(3)(1) (darparu llety i blant sy’n cael eu hamddiffyn gan yr heddlu, neu sydd o dan gadwad neu ar remand, etc.)—

(a) ar ôl “local authority” yn y lle cyntaf y mae’n digwydd mewnosoder “or by a local authority in Wales”;

(b) ar ôl “local authority” yn yr ail le y mae’n digwydd mewnosoder “, or local authority in Wales,”.

69. Yn adran 22 (dyletswydd gyffredinol awdurdod lleol mewn perthynas â phlant sy’n derbyn gofal ganddynt)—

(a) yn is-adran (1)(2) yn lle “In this Act” rhodder “In this section”;

(b) yn is-adran (3B)(3) hepgorer “in England”;

(c) yn is-adran (3C) hepgorer “in England”;

(d) yn is-adran (7)(4)—

67. In section 20 (provision of accommodation for children: general)—

(a) in subsection (2)(b) after “prescribed” insert “in regulations made by the Secretary of State”;

(b) after subsection (2) insert—

“(2A) Where a local authority in Wales provide accommodation under section 76(1) of the Social Services and Well-being (Wales) Act 2014 (accommodation for children without parents or who are lost or abandoned etc.) for a child who is ordinarily resident in the area of a local authority in England, that local authority in England may take over the provision of accommodation for the child within—

(a) three months of being notified in writing that the child is being provided with accommodation; or

(b) such other longer period as may be prescribed in regulations made by the Secretary of State.”

68. In section 21(3)(1) (provision of accommodation for children in police protection or detention or on remand, etc.)—

(a) after “local authority” in the first place it occurs insert “or by a local authority in Wales”;

(b) after “local authority” in the second place it occurs insert “, or local authority in Wales,”.

69. In section 22 (general duty of local authority in relation to children looked after by them)—

(a) in subsection (1)(2) for “In this Act” substitute “In this section”;

(b) in subsection (3B)(3) omit “in England”;

(c) in subsection (3C) omit “in England”;

(d) in subsection (7)(4)—

(1) Diwygiwyd adran 21(3) gan baragraffau 47 ac 48 o Atodlen 5 i Ddeddf Iechyd a Gofal Cymdeithasol 2012 (p. 7); gan baragraffau 1 a 5 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23); gan baragraff 36(1) o Atodlen 9 i Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal yn y Gymuned 1990 (p. 19); gan baragraff 20(1) a (2)(a) o'r Atodlen i O.S. 2007/961 (Cy. 85) a chan baragraff 24(1) a (3) o Atodlen 1 i O.S. 2000/90.

(2) Diwygiwyd adran 22(1) gan baragraff 19 o Atodlen 5 i Ddeddf Llywodraeth Leol 2000 (p. 22); gan adran 2 o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35) a chan adran 116(2) o Ddeddf Mabwysiadu a Phlant 2002 (p. 38).

(3) Mewnosodwyd is-adrannau (3B) a (3C) gan adran 99 o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(4) Diwygiwyd adran 22(7) gan baragraffau 1 a 6(c) o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(1) Section 21(3) was amended by the Health and Social Care Act 2012 (c. 7), Schedule 5, paragraphs 47 and 48; by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 5; by the National Health Service and Community Care Act 1990 (c. 19), Schedule 9, paragraph 36(1); by S.I. 2007/961 (W. 85), paragraph 20(1) and (2)(a) of the Schedule, and by S.I. 2000/90, Schedule 1, paragraph 24(1) and (3).

(2) Section 22(1) was amended by the Local Government Act 2000 (c. 22), Schedule 5, paragraph 19; by the Children (Leaving Care) Act 2000 (c. 35), section 2, and by the Adoption and Children Act 2002 (c. 38), section 116(2).

(3) Subsections (3B) and (3C) were inserted by the Children and Families Act 2014 (c. 6), section 99.

(4) Section 22(7) was amended by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 6(c).

- (i) yn lle “appropriate national authority”, yn y ddau le y mae’n ymddangos, rhodder “Secretary of State”, a
- (ii) yn lle “the local authority” rhodder “the authority”.

70. Yn adran 22C(1) (y ffyrdd y mae plant sy’n derbyn gofal i gael eu lletya a’u cynnal)—

- (a) yn is-adran (9A)(2) hepgorer “are a local authority in England and”;
- (b) yn is-adran (11) yn lle “appropriate national authority” rhodder “Secretary of State”;
- (c) yn lle is-adran (12) rhodder—
“(12) For the meaning of “local authority foster parent” see section 105(1).”

71. Yn lle adran 22E(3) (cartrefi plant a ddarperir gan awdurdod cenedlaethol priodol) rhodder—

“Children’s homes provided by Secretary of State or Welsh Ministers

22E. Where a local authority place a child they are looking after in a children’s home provided, equipped and maintained by the Secretary of State or the Welsh Ministers under section 82(5), they must do so on such terms as the Secretary of State or the Welsh Ministers (as the case may be) may from time to time determine.”

72. Yn adran 23ZA(3)(a)(4) (dyletswydd awdurdod lleol i sicrhau ymweliadau a chyswllt â phlant sy’n derbyn gofal ac eraill) yn lle “appropriate national authority” rhodder “Secretary of State”.

73. Yn adran 23ZB(5) (ymwelwyr annibynnol ar gyfer plant sy’n derbyn gofal gan awdurdod lleol)—

- (a) yn is-adran (1)(a) yn lle “appropriate national authority” rhodder “Secretary of State”;
- (b) yn is-adran (9) yn lle “appropriate national authority” rhodder “Secretary of State”.

74. Yn adran 23A(1) (yr awdurdod cyfrifol a phlant perthnasol)—

-
- (1) Rhoddwyd, ynghyd ag adrannau 22A, 22B a 22D i 22F, yn lle adran 23 fel y’i deddfwyd yn wreiddiol, gan adran 8(1) o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).
 - (2) Mewnosodwyd is-adrannau (9A) i (9C) gan adran 2(1) a (3) o Ddeddf Plant a Theuluoedd 2014 (p. 6).
 - (3) Rhoddwyd adran 22E, ynghyd ag adrannau 22A i 22D a 22F, yn lle adran 23 fel y’i deddfwyd yn wreiddiol, gan adran 8(1) o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).
 - (4) Mewnosodwyd adran 23ZA gan adran 15 o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).
 - (5) Mewnosodwyd adran 23ZB gan adran 16(1) o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

- (i) for “appropriate national authority”, in both places that it appears, substitute “Secretary of State”, and
- (ii) for “the local authority” substitute “the authority”.

70. In section 22C(1) (ways in which looked after children are to be accommodated and maintained)—

- (a) in subsection (9A)(2) omit “are a local authority in England and”;
- (b) in subsection (11) for “appropriate national authority” substitute “Secretary of State”;
- (c) for subsection (12) substitute—
“(12) For the meaning of “local authority foster parent” see section 105(1).”

71. For section 22E(3) (children’s homes provided by appropriate national authority) substitute—

“Children’s homes provided by Secretary of State or Welsh Ministers

22E. Where a local authority place a child they are looking after in a children’s home provided, equipped and maintained by the Secretary of State or the Welsh Ministers under section 82(5), they must do so on such terms as the Secretary of State or the Welsh Ministers (as the case may be) may from time to time determine.”

72. In section 23ZA(3)(a)(4) (duty of local authority to ensure visits to, and contact with, looked after children and others) for “appropriate national authority” substitute “Secretary of State”.

73. In section 23ZB(5) (independent visitors for children looked after by a local authority)—

- (a) in subsection (1)(a) for “appropriate national authority” substitute “Secretary of State”;
- (b) in subsection (9) for “appropriate national authority” substitute “Secretary of State”.

74. In section 23A(1) (the responsible authority and relevant children)—

-
- (1) Substituted, together with sections 22A, 22B, 22D to 22F, for section for 23 as originally enacted, by the Children and Young Persons Act 2008 (c. 23), section 8(1).
 - (2) Subsections (9A) to (9C) were inserted by the Children and Families Act 2014 (c. 6), section 2(1) and (3).
 - (3) Section 22E was substituted, together with sections 22A to 22D and 22F, for section 23 as originally enacted, by the Children and Young Persons Act 2008 (c. 23), section 8(1).
 - (4) Section 23ZA was inserted by the Children and Young Persons Act 2008 (c. 23), section 15.
 - (5) Section 23ZB was inserted by the Children and Young Persons Act 2008 (c. 23), section 16(1).

- (a) yn is-adran (2)(a) yn lle “by any local authority” rhodder “by any local authority in England or by any local authority in Wales”;
- (b) yn is-adran (3) yn lle “appropriate national authority” rhodder “Secretary of State”;
- (c) yn is-adran (5) yn lle “appropriate national authority”, yn y ddau le y mae’n ymddangos, rhodder “Secretary of State”.

75. Yn adran 23B(10)(2) (swyddogaethau ychwanegol yr awdurdod cyfrifol mewn cysylltiad â phlant perthnasol) yn lle “appropriate national authority” rhodder “Secretary of State”.

76. Yn adran 23C(5B)(3) (swyddogaethau sy’n parhau mewn cysylltiad â chyn-blant perthnasol) yn lle “appropriate national authority” rhodder “Secretary of State”.

77. Yn adran 23CZA(1)(4) (trefniadau i gyn-blant perthnasol penodol barhau i fyw gyda chyn-rieni maeth) hepgorer “in England”.

78. Yn adran 23CA(1)(a)(5) (cynhorthwy pellach i ddilyn addysg neu hyfforddiant) yn lle “appropriate national authority” rhodder “Secretary of State”.

79. Yn adran 23D(6) (cynghorwyr personol)—

- (a) yn is-adran (1) yn lle “appropriate national authority” rhodder “Secretary of State”;
- (b) yn is-adran (2) yn lle “appropriate national authority” rhodder “Secretary of State”.

80. Yn adran 23E(7) (cynlluniau llwybr)—

- (a) yn is-adran (1) ar ôl “prescribed” mewnosoder “in regulations made by the Secretary of State”;

- (a) in subsection (2)(a) for “by any local authority” substitute “by any local authority in England or by any local authority in Wales”;
- (b) in subsection (3) for “appropriate national authority” substitute “Secretary of State”;
- (c) in subsection (5) for “appropriate national authority”, in both places that it appears, substitute “Secretary of State”.

75. In section 23B(10)(2) (additional functions of the responsible authority in respect of relevant children) for “appropriate national authority” substitute “Secretary of State”.

76. In section 23C(5B)(3) (continuing functions in respect of former relevant children) for “appropriate national authority” substitute “Secretary of State”.

77. In section 23CZA(1)(4) (arrangements for certain former relevant children to continue to live with former foster parents) omit “in England”.

78. In section 23CA(1)(a)(5) (further assistance to pursue education or training) for “appropriate national authority” substitute “Secretary of State”.

79. In section 23D(6) (personal advisers)—

- (a) in subsection (1) for “appropriate national authority” substitute “Secretary of State”;
- (b) in subsection (2) for “appropriate national authority” substitute “Secretary of State”.

80. In section 23E(7) (pathway plans)—

- (a) in subsection (1) after “prescribed” insert “in regulations made by the Secretary of State”;

(1) Mewnosodwyd adran 23A gan adran 2(1) a (4) o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35), ac mae wedi ei diwygio gan baragraffau 1 ac 8 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(2) Mewnosodwyd 23B gan adran 2(1) a (4) o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35), ac mae wedi ei diwygio gan adran 22(1) o Ddeddf Plant a Phobl Ifanc 2008 (p. 23), paragraffau 1 a 9 o Atodlen 3 iddi ac Atodlen 4 iddi.

(3) Mewnosodwyd adran 22C gan adran 2(1) a (4) o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35); mewnosodwyd is-adrannau (5A) i (5C) gan adran 21(1) a (2) o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(4) Mewnosodwyd adran 23CZA gan adran 98(1) a (2) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(5) Mewnosodwyd adran 23CA gan adran 22(1) a (2) o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(6) Mewnosodwyd adran 23D gan adran 3 o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35), ac mae wedi ei diwygio gan adran 23(1) o Ddeddf Plant a Phobl Ifanc 2008 (p. 23) a pharagraffau 1 a 10 o Atodlen 3 iddi.

(7) Mewnosodwyd adran 23E gan adran 3 o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35), ac mae wedi ei diwygio gan adran 22 o Ddeddf Plant a Phobl Ifanc 2008 (p. 23) a pharagraffau 1 ac 11 o Atodlen 3 iddi, a chan baragraff 65(1) a (2) o Atodlen 3 i Ddeddf Plant a Theuluoedd 2014 (p. 6).

(1) Section 23A was inserted by the Children (Leaving Care) Act 2000 (c. 35), section 2(1) and (4), and has been amended by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 8.

(2) Section 23B was inserted by the Children (Leaving Care) Act 2000 (c. 35), section 2(1) and (4), and has been amended by the Children and Young Persons Act 2008 (c. 23), section 22(1) and by Schedule 3, paragraphs 1 and 9 and Schedule 4.

(3) Section 22C was inserted by the Children (Leaving Care) Act 2000 (c. 35), section 2(1) and (4); subsections (5A) to (5C) were inserted by the Children and Young Persons Act 2008 (c. 23), section 21(1) and (2).

(4) Section 23CZA was inserted by the Children and Families Act 2014 (c. 6), section 98(1) and (2).

(5) Section 23CA was inserted by the Children and Young Persons Act 2008 (c. 23), section 22(1) and (2).

(6) Section 23D was inserted by the Children (Leaving Care) Act 2000 (c. 35), section 3, and has been amended by the Children and Young Persons Act 2008 (c. 23), section 23(1) and Schedule 3, paragraphs 1 and 10.

(7) Section 23E was inserted by the Children (Leaving Care) Act 2000 (c. 35), section 3, and has been amended by the Children and Young Persons Act 2008 (c. 23), section 22 and Schedule 3, paragraphs 1 and 11, and by the Children and Families Act 2014 (c. 6), Schedule 3, paragraph 65(1) and (2).

- (b) yn is-adran (1B) yn lle “appropriate national authority” rhodder “Secretary of State”;
- (c) yn is-adran (2) yn lle “appropriate national authority” rhodder “Secretary of State”.

81. Yn adran 24(1) (personau sy'n gymwys i gael cyngor a chynhorthwy)—

- (a) yn is-adran (2)(a)(2) ar y diwedd mewnosoder “(without subsequently being looked after by a local authority in Wales)”;
- (b) yn is-adran (2)(d)(ii)(3) ar y diwedd mewnosoder “, or by a local authority in Wales in the exercise of education functions”;
- (c) yn is-adran (5)(za)(4) yn lle “appropriate national authority” rhodder “Secretary of State”.

82. Yn adran 24A(5) (cyngor a chynhorthwy)—

- (a) yn is-adran (2)(b) ar ôl “local authority,” mewnosoder “or local authority in Wales”;
- (b) yn is-adran (3)(a) ar ôl “local authority” mewnosoder “(without subsequently being looked after by a local authority in Wales),”.

83. Yn adran 24B(6)(6) (cyflogaeth, addysg a hyfforddiant) yn lle “appropriate national authority” rhodder “Secretary of State”.

84. Yn adran 24C(7) (gwybodaeth)—

- (a) yn is-adran (1) ar ôl “area of another local authority” mewnosoder “, or in the area of a local authority in Wales”;

- (b) in subsection (1B) for “appropriate national authority” substitute “Secretary of State”;
- (c) in subsection (2) for “appropriate national authority” substitute “Secretary of State”.

81. In section 24(1) (persons qualifying for advice and assistance)—

- (a) in subsection (2)(a)(2) at the end insert “(without subsequently being looked after by a local authority in Wales)”;
- (b) in subsection (2)(d)(ii)(3) at the end insert “, or by a local authority in Wales in the exercise of education functions”;
- (c) in subsection (5)(za)(4) for “appropriate national authority” substitute “Secretary of State”.

82. In section 24A(5) (advice and assistance)—

- (a) in subsection (2)(b) after “local authority,” insert “or local authority in Wales”;
- (b) in subsection (3)(a) after “local authority” insert “(without subsequently being looked after by a local authority in Wales),”.

83. In section 24B(6)(6) (employment, education and training) for “appropriate national authority” substitute “Secretary of State”.

84. In section 24C(7) (information)—

- (a) in subsection (1) after “area of another local authority” insert “, or in the area of a local authority in Wales”;

(1) Rhoddwyd adran 24, ynghyd ag adrannau 24A i 24C, yn lle adran 24 fel y'i deddfwyd yn wreiddiol, gan adran 4(1) o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35), a rhoddwyd adran 24(1) i (1B) yn lle adran 24(1) gan baragraffau 54 a 60(a) o Atodlen 3 i Ddeddf Mabwysiadu a Phlant 2002 (p. 38).

(2) Diwygiwyd adran 24(2)(a) gan baragraffau 54 a 60(b) o Atodlen 3 i Ddeddf Mabwysiadu a Phlant 2002 (p. 38).

(3) Diwygiwyd adran 24(2)(d) gan baragraffau 47 a 49 o Atodlen 5 i Ddeddf Iechyd a Gofal Cymdeithasol 2012 (p. 7); gan baragraffau 75 ac 76 o Atodlen 4 i Ddeddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 (p. 43), a chan baragraff 20(1) a (2)(b) o'r Atodlen i O.S. 2007/961 (Cy. 85); a chan baragraff 37(1) a (2) o Atodlen 2 i O.S. 2010/1158.

(4) Mewnosodwyd paragraff (za) gan baragraffau 54 a 60(c) o Atodlen 3 i Ddeddf Mabwysiadu a Phlant 2002 (p. 38).

(5) Rhoddwyd adran 24A, ynghyd ag adrannau 24, 24B a 24C, yn lle adran 24 fel y'i deddfwyd yn wreiddiol, gan adran 4(1) o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35), ac mae wedi ei diwygio gan baragraffau 54 ac 61 o Atodlen 3 i Ddeddf Mabwysiadu a Phlant 2002 (p. 38); mae diwygiadau eraill nad ydynt yn berthnasol.

(6) Rhoddwyd adran 24B, ynghyd ag adrannau 24, 24A a 24C, yn lle adran 24 fel y'i deddfwyd yn wreiddiol, gan adran 4(1) o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35), ac mae wedi ei diwygio gan baragraffau 1 a 13 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(7) Rhoddwyd adran 24C, ynghyd ag adrannau 24, 24A a 24B, yn lle adran 24 fel y'i deddfwyd yn wreiddiol, gan adran 4(1) o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35).

(1) Section 24 was substituted, together with sections 24A to 24C, for section 24, as originally enacted, by the Children (Leaving Care) Act 2000 (c. 35), section 4(1), and section 24(1) to (1B) was substituted for section 24(1) by the Adoption and Children Act 2002 (c. 38), Schedule 3, paragraphs 54 and 60(a).

(2) Section 24(2)(a) was amended by the Adoption and Children Act 2002 (c. 38), Schedule 3, paragraphs 54 and 60(b).

(3) Section 24(2)(d) was amended by the Health and Social Care Act 2012 (c. 7), Schedule 5, paragraphs 47 and 49; by the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), Schedule 4, paragraphs 75 and 76, and by S.I. 2007/961 (W. 85), paragraph 20(1) and (2)(b) of the Schedule; and by S.I. 2010/1158, Schedule 2, paragraph 37(1) and (2).

(4) Paragraph (za) was inserted by the Adoption and Children Act 2002 (c. 38), Schedule 3, paragraphs 54 and 60(c).

(5) Section 24A was substituted, together with sections 24, 24B and 24C, for section 24, as originally enacted by the Children (Leaving Care) Act 2000 (c. 35), section 4(1), and has been amended by the Adoption and Children Act 2002 (c. 38), Schedule 3, paragraphs 54 and 61; there are other amendments which are not relevant.

(6) Section 24B was substituted, together with sections 24, 24A and 24C, for section 24, as originally enacted by the Children (Leaving Care) Act 2000 (c. 35), section 4(1), and has been amended by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 13.

(7) Section 24C was substituted, together with sections 24, 24A and 24B, for section 24, as originally enacted by the Children (Leaving Care) Act 2000 (c. 35), section 4(1).

- (b) yn lle is-adran (2)(1) rhodder—
 “(2) Where a child who is accommodated in England—
- (a) by a voluntary organisation or in a private children’s home;
 - (b) by or on behalf of any Local Health Board or Special Health Authority;
 - (c) by or on behalf of a clinical commissioning group or the National Health Service Commissioning Board;
 - (d) by or on behalf of a local authority in the exercise of education functions;
 - (e) by or on behalf of a local authority in Wales in the exercise of education functions;
 - (f) in any care home or independent hospital; or
 - (g) in any accommodation provided by or on behalf of a National Health Service trust or by or on behalf of an NHS Foundation Trust,

ceases to be so accommodated after reaching the age of 16, the person by whom or on whose behalf the child was accommodated or who carries on or manages the home or hospital (as the case may be) must inform the local authority or local authority in Wales within whose area the child proposes to live.”;

- (c) yn is-adran (3) yn lle “paragraph (b) or (c)” rhodder “any of paragraphs (b) to (g)”;
- (d) yn lle is-adran (4)(2) rhodder—
 “(4) In a case where a child was accommodated by or on behalf of a local authority, or a local authority in Wales, in the exercise of education functions, subsection (2) applies only if the authority who accommodated the child is different from the authority within whose area the child proposes to live.”

85. Yn adran 24D(3) (sylwadau: adrannau 23A i 24B)—

- (b) for subsection (2)(1) substitute—
 “(2) Where a child who is accommodated in England—
- (a) by a voluntary organisation or in a private children’s home;
 - (b) by or on behalf of any Local Health Board or Special Health Authority;
 - (c) by or on behalf of a clinical commissioning group or the National Health Service Commissioning Board;
 - (d) by or on behalf of a local authority in the exercise of education functions;
 - (e) by or on behalf of a local authority in Wales in the exercise of education functions;
 - (f) in any care home or independent hospital; or
 - (g) in any accommodation provided by or on behalf of a National Health Service trust or by or on behalf of an NHS Foundation Trust,

ceases to be so accommodated after reaching the age of 16, the person by whom or on whose behalf the child was accommodated or who carries on or manages the home or hospital (as the case may be) must inform the local authority or local authority in Wales within whose area the child proposes to live.”;

- (c) in subsection (3) for “paragraph (b) or (c)” substitute “any of paragraphs (b) to (g)”;
- (d) for subsection (4)(2) substitute—
 “(4) In a case where a child was accommodated by or on behalf of a local authority, or a local authority in Wales, in the exercise of education functions, subsection (2) applies only if the authority who accommodated the child is different from the authority within whose area the child proposes to live.”

85. In section 24D(3) (representations: sections 23A to 24B)—

(1) Diwygiwyd adran 24C(2) gan baragraffau 47 a 50 o Atodlen 5 i Ddeddf Iechyd a Gofal Cymdeithasol 2012 (p. 7); gan baragraffau 75 a 77 o Atodlen 4 i Ddeddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 (p. 43), a chan baragraff 20(1) a (2)(c) o'r Atodlen i O.S. 2007/961 (Cy. 85), a chan baragraff 37(1) a (3)(a) o Atodlen 2 i O.S. 2010/1158.

(2) Mewnosodwyd adran 24C(4) gan baragraff 37(1) a (3)(b) o Atodlen 2 i O.S. 2010/1158.

(3) Mewnosodwyd adran 24D gan adran 5 o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35).

(1) Section 24C(2) was amended by the Health and Social Care Act 2012 (c. 7), Schedule 5, paragraphs 47 and 50; by the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), Schedule 4, paragraphs 75 and 77, and by S.I. 2007/961 (W. 85), Schedule, paragraph 20(1) and (2)(c), and by S.I. 2010/1158, Schedule 2, paragraph 37(1) and (3)(a).

(2) Section 24C(4) was inserted by S.I. 2010/1158, Schedule 2, paragraph 37(1) and (3)(b).

(3) Section 24D was inserted by the Children (Leaving Care) Act 2000 (c. 35), section 5.

- (a) yn is-adran (1A)(1) yn lle “appropriate national authority” rhodder “Secretary of State”;
- (b) yn is-adran (2) yn lle “appropriate national authority” rhodder “Secretary of State”.

86. Yn adran 25(2) (defnyddio llety i gyfyngu ar ryddid)—

- (a) yn is-adran (1)—
 - (i) ar ôl “local authority” mewnosoder “or local authority in Wales”;
 - (ii) ar ôl “accommodation” yn y lle cyntaf y mae’n digwydd mewnosoder “in England”;
- (b) yn is-adran (2) yn lle “appropriate national authority” rhodder “Secretary of State”;
- (c) yn is-adran (2)(a)(i), (2)(a)(ii) a (2)(b) ar ôl “accommodation”, ym mhob lle y mae’n digwydd, mewnosoder “in England”;
- (d) yn is-adran (2)(c) ar ôl “local authorities” mewnosoder “or local authorities in Wales”;
- (e) yn is-adran (7) yn lle “appropriate national authority” rhodder “Secretary of State”;
- (f) yn is-adran (7)(c) ar ôl “accommodation” mewnosoder “in England”.

87. Yn adran 25A(4)(3) (penodi swyddog adolygu annibynnol) yn lle “appropriate national authority” rhodder “Secretary of State”.

88. Yn adran 25B(4) (swyddogaethau swyddog adolygu annibynnol)—

- (a) yn is-adrannau (1)(b), (1)(d) a (2)(a) yn lle “appropriate national authority”, ym mhob lle y mae’n digwydd, rhodder “Secretary of State”;
- (b) yn is-adran (3) hepgorer paragraff (b) a’r “or” yn union o flaen hynny.

89. Hefgorer adran 25C(2)(5) (achosion sydd wedi eu hatgyfeirio, rheoliadau o ran Cymru).

- (a) in subsection (1A)(1) for “appropriate national authority” substitute “Secretary of State”;
- (b) in subsection (2) for “appropriate national authority” substitute “Secretary of State”.

86. In section 25(2) (use of accommodation for restricting liberty)—

- (a) in subsection (1)—
 - (i) after “local authority” insert “or local authority in Wales”;
 - (ii) after “accommodation” in the first place it occurs insert “in England”;
- (b) in subsection (2) for “appropriate national authority” substitute “Secretary of State”;
- (c) in subsection (2)(a)(i), (2)(a)(ii) and (2)(b) after “accommodation” in each place that it occurs, insert “in England”;
- (d) in subsection (2)(c) after “local authorities” insert “or local authorities in Wales”;
- (e) in subsection (7) for “appropriate national authority” substitute “Secretary of State”;
- (f) in subsection (7)(c) after “accommodation” insert “in England”.

87. In section 25A(4)(3) (appointment of independent reviewing officer) for “appropriate national authority” substitute “Secretary of State”.

88. In section 25B(4) (functions of independent reviewing officer)—

- (a) in subsections (1)(b), (1)(d) and (2)(a) for “appropriate national authority”, in each place that it occurs, substitute “Secretary of State”;
- (b) in subsection (3) omit paragraph (b) and the “or” immediately preceding it.

89. Omit section 25C(2)(5) (referred cases, regulations in respect of Wales).

(1) Mewnosodwyd adran 24D(1A) gan adran 117(1) o Ddeddf Mabwysiadu a Phlant 2002 (p. 38), ac fe'i diwygiwyd gan baragraffau 1 a 14 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(2) Diwygiwyd adran 25 gan baragraffau 1 a 15 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23), a chan baragraff 38 o Atodlen 5 i Ddeddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwyd 2012 (p. 10).

(3) Mewnosodwyd adran 25A gan adran 10(1) o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(4) Mewnosodwyd adran 25B gan adran 10(1) o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(5) Mewnosodwyd adran 25C gan adran 10(2) o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(1) Section 24D(1A) was inserted by the Adoption and Children Act 2002 (c. 38), section 117(1) and amended by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 14.

(2) Section 25 was amended by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 15, and by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), Schedule 5, paragraph 38.

(3) Section 25A was inserted by the Children and Young Persons Act 2008 (c. 23), section 10(1).

(4) Section 25B was inserted by the Children and Young Persons Act 2008 (c. 23), section 10(1).

(5) Section 25C was inserted by the Children and Young Persons Act 2008 (c. 23), section 10(2).

90. Yn adran 26(1) (adolygu achosion ac ymchwiliadau i sylwadau), yn y darpariaethau a ganlyn, yn lle “appropriate national authority” rhodder “Secretary of State”—

- (a) is-adran (1);
- (b) is-adran (3A);
- (c) is-adran (3B);
- (d) is-adran (3C);
- (e) is-adran (4A);
- (f) is-adran (5);
- (g) is-adran (6).

91. Hefgorer adran 26ZB(2) (sylwadau: ystyriaeth bellach (Cymru)).

92. Yn adran 26A(3) (gwasanaethau eirioli)—

- (a) hefgorer is-adran (2A)(4);
- (b) yn is-adrannau (3)(a) a (4)(5), yn lle “appropriate national authority” rhodder “Secretary of State”.

93. Yn adran 27 (cydweithredu rhwng awdurdodau)—

- (a) ar ôl is-adran (3)(d) mewnosoder—
“(da) any local authority in Wales,”;
- (b) yn is-adran (3)(e)(6) yn lle “appropriate national authority” rhodder “Secretary of State”;
- (c) ar ôl is-adran (3) mewnosoder—
“(3A) The Secretary of State must not authorise the Welsh Ministers under subsection (3)(e) without their consent.”

90. In section 26(1) (review of cases and inquiries into representations), in the following provisions, for “appropriate national authority” substitute “Secretary of State”—

- (a) subsection (1);
- (b) subsection (3A);
- (c) subsection (3B);
- (d) subsection (3C);
- (e) subsection (4A);
- (f) subsection (5);
- (g) subsection (6).

91. Omit section 26ZB(2) (representations: further consideration (Wales)).

92. In section 26A(3) (advocacy services)—

- (a) omit subsection (2A)(4);
- (b) in subsections (3)(a) and (4)(5), for “appropriate national authority” substitute “Secretary of State”.

93. In section 27 (co-operation between authorities)—

- (a) after subsection (3)(d) insert—
“(da) any local authority in Wales,”;
- (b) in subsection (3)(e)(6) for “appropriate national authority” substitute “Secretary of State”;
- (c) after subsection (3) insert—
“(3A) The Secretary of State must not authorise the Welsh Ministers under subsection (3)(e) without their consent.”

-
- (1) Diwygiwyd is-adrannau (1), (5) a (6) o adran 26 gan baragraffau 1 ac 16 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23); mewnosodwyd is-adrannau (3A), (3B) a (4A) yn adran 26 gan adran 117(2), (4) a (5) o Ddeddf Mabwysiadu a Phlant 2002 (p. 38), a mewnosodwyd is-adran (3C) gan adran 117(1) o Ddeddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 (p. 43).
 - (2) Mewnosodwyd adran 26ZB gan adran 116(2) o Ddeddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 (p. 43), ac fe'i diwygiwyd gan baragraffau 1 a 17 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).
 - (3) Mewnosodwyd adran 26A gan adran 119 o Ddeddf Mabwysiadu a Phlant 2002 (p. 38).
 - (4) Mewnosodwyd is-adran (2A) gan adran 116(3) o Ddeddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 (p. 43), ac fe'i diwygiwyd gan baragraffau 9 ac 11 o Atodlen 14 i Ddeddf Addysg ac Arolygiadau 2006 (p. 40) a Rhan 5 o Atodlen 18 iddi.
 - (5) Diwygiwyd is-adrannau (3)(a) a (4) o adran 26A gan baragraffau 1 a 18 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).
 - (6) Diwygiwyd adran 27(3)(e) gan baragraffau 1 a 19 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

-
- (1) Subsections (1), (5) and (6) of section 26 were amended by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 16; subsections (3A), (3B), and (4A) were inserted into section 26 by the Adoption and Children Act 2002 (c. 38), section 117(2), (4) and (5), and subsection (3C) was inserted by the Health and Social Care (Community Health and Standards Act) 2003 (c. 43), section 117(1).
 - (2) Section 26ZB was inserted by the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), section 116(2), and was amended by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 17.
 - (3) Section 26A was inserted by the Adoption and Children Act 2002 (c. 38), section 119.
 - (4) Subsection (2A) was inserted by the Health and Social Care (Community Health and Standards) Act 2003 (c. 43), section 116(3), and was amended by the Education and Inspections Act 2006 (c. 40), Schedule 14, paragraphs 9 and 11 and Part 5 of Schedule 18.
 - (5) Subsections (3)(a) and (4) of section 26A were amended by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 18.
 - (6) Section 27(3)(e) was amended by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 19.

94. Yn adran 29 (adennill y gost o ddarparu gwasanaethau etc.)—

- (a) yn is-adran (7) ar ôl “another local authority” mewnosoder “or the area of a local authority in Wales”;
- (b) yn is-adran (8)(1) ar ôl “another local authority” mewnosoder “or the area of a local authority in Wales”;
- (c) yn is-adran (9)(2)—
 - (i) ar ôl “subsection (10)” mewnosoder “or subsection (11)”;
 - (ii) ar ôl “section 27(2)” mewnosoder “or section 164A(2) of the Social Services and Well-being (Wales) Act 2014 (duty of other persons to co-operate and provide information)”;
 - (iii) ar ôl “the local authority” mewnosoder “or a local authority in Wales”;
- (d) ar ôl is-adran (10)(3) mewnosoder—

“(11) Where a local authority (“authority A”) comply with any request under section 164A(2) of the Social Services and Well-being (Wales) Act 2014 (duty of other persons to co-operate and provide information) from a local authority in Wales (“authority B”) in relation to a person, and authority B are the responsible local authority for that person (within the meaning of section 104(5)(b) (except for category 4 young persons) or (d) of that Act), then authority A may recover from authority B any reasonable expenses incurred by them in respect of that person.”

95. Yn adran 30 (amrywiol)—

- (a) yn is-adran (2)(4)—
 - (i) yn lle “determining authority” rhodder “Secretary of State”;
 - (ii) ar y diwedd mewnosoder “but see subsection (2C)”;
- (b) hepgorer is-adrannau (2A) a (2B);
- (c) ar ôl is-adran (2) mewnosoder—

94. In section 29 (recoupment of cost of providing services etc.)—

- (a) in subsection (7) after “another local authority” insert “or the area of a local authority in Wales”;
- (b) in subsection (8)(1) after “another local authority” insert “or the area of a local authority in Wales”;
- (c) in subsection (9)(2)—
 - (i) after “subsection (10)” insert “or subsection (11)”;
 - (ii) after “section 27(2)” insert “or section 164A(2) of the Social Services and Well-being (Wales) Act 2014 (duty of other persons to co-operate and provide information)”;
 - (iii) after “the local authority” insert “or a local authority in Wales”;
- (d) after subsection (10)(3) insert—

“(11) Where a local authority (“authority A”) comply with any request under section 164A(2) of the Social Services and Well-being (Wales) Act 2014 (duty of other persons to co-operate and provide information) from a local authority in Wales (“authority B”) in relation to a person, and authority B are the responsible local authority for that person (within the meaning of section 104(5)(b) (except for category 4 young persons) or (d) of that Act), then authority A may recover from authority B any reasonable expenses incurred by them in respect of that person.”

95. In section 30 (miscellaneous)—

- (a) in subsection (2)(4)—
 - (i) for “determining authority” substitute “Secretary of State”;
 - (ii) at the end insert “but see subsection (2C)”;
- (b) omit subsections (2A) and (2B);
- (c) after subsection (2) insert—

(1) Diwygiwyd adran 29(8) gan baragraffau 47 a 52 o Atodlen 5 i Ddeddf Iechyd a Gofal Cymdeithasol 2012 (p. 7); gan baragraffau 1 ac 20 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23), a chan baragraff 20(1) a (2)(e) o'r Atodlen i O.S. 2007/961 (Cy. 85).

(2) Diwygiwyd adran 29(9) gan adran 7(1) a (3)(a) o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35), a chan baragraff 15 o Atodlen 16 i Ddeddf Llysoedd a Gwasanaethau Cyfreithiol 1990 (p. 41).

(3) Mewnosodwyd is-adran (10) yn adran 29 gan adran 7(1) a (3)(b) o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35).

(4) Diwygiwyd is-adran (2), a mewnosodwyd is-adrannau (2A) a (2B), gan baragraffau 1 ac 21 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(1) Section 29(8) was amended by the Health and Social Care Act 2012 (c. 7), Schedule 5, paragraphs 47 and 52; by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 20, and by S.I. 2007/961 (W. 85), paragraph 20(1) and (2)(e) of the Schedule.

(2) Section 29(9) was amended by the Children (Leaving Care) Act 2000 (c. 35), section 7(1) and (3)(a), and by the Courts and Legal Services Act 1990 (c. 41), Schedule 16, paragraph 15.

(3) Subsection (10) was inserted into section 29 by the Children (Leaving Care) Act 2000 (c. 35), section 7(1) and (3)(b).

(4) Subsection (2) was amended, and subsections (2A) and (2B) were inserted by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 21.

“(2C) Any question arising as to whether a child is ordinarily resident—

- (a) in the area of a local authority under section 20(2), 21(3) or 29(7) to (9), or
- (b) in the area of a local authority in Wales under section 76(2), 77(4) or (5), or 193(3) to (6) of the Social Services and Well-being (Wales) Act 2014,

shall be determined by the local authority and local authority in Wales concerned, or in default of agreement, by the Secretary of State.

(2D) The Secretary of State must consult the Welsh Ministers before making a determination under subsection (2C).”;

- (d) yn is-adran (4) yn lle “appropriate national authority” rhodder “Secretary of State”.

96. Hepgorer adran 30A(1) (ystyr awdurdod cenedlaethol priodol).

97. Yn adran 33(8)(b) (trefniadau i blentyn fyw y tu allan i Gymru a Lloegr) ar ôl “Schedule 2” mewnosoder “in England, and section 124 of the Social Services and Well-being (Wales) Act 2014 in Wales”.

98. Yn adran 34(2) (cyswllt rhiant etc. â phlant mewn gofal)—

- (a) yn is-adran (1) ar ôl “section 22(3)(a)” mewnosoder “or, where the local authority is in Wales, under section 78(1)(a) of the Social Services and Well-being (Wales) Act 2014”;
- (b) ar ôl is-adran (6A)(3) mewnosoder—

“(6B) Where (by virtue of an order under this section, or because subsection (6) applies) a local authority in Wales is authorised to refuse contact between the child and a person mentioned in any of paragraphs (a) to (c) of section 95(1) of the Social Services and Well-being (Wales) Act 2014, section 95(1) of that Act does not require the authority to promote contact between the child and that person.”

99. Yn adran 42(4) (hawl swyddog y Gwasanaeth i gael mynediad at gofnodion awdurdod lleol) ym

“(2C) Any question arising as to whether a child is ordinarily resident—

- (a) in the area of a local authority under section 20(2), 21(3) or 29(7) to (9), or
- (b) in the area of a local authority in Wales under section 76(2), 77(4) or (5), or 193(3) to (6) of the Social Services and Well-being (Wales) Act 2014,

shall be determined by the local authority and local authority in Wales concerned, or in default of agreement, by the Secretary of State.

(2D) The Secretary of State must consult the Welsh Ministers before making a determination under subsection (2C).”;

- (d) in subsection (4) for “appropriate national authority” substitute “Secretary of State”.

96. Omit section 30A(1) (meaning of appropriate national authority).

97. In section 33(8)(b) (arrangements for a child to live outside England and Wales) after “Schedule 2” insert “in England, and section 124 of the Social Services and Well-being (Wales) Act 2014 in Wales”.

98. In section 34(2) (parental contact etc. with children in care)—

- (a) in subsection (1) after “section 22(3)(a)” insert “or, where the local authority is in Wales, under section 78(1)(a) of the Social Services and Well-being (Wales) Act 2014”;
- (b) after subsection (6A)(3) insert—

“(6B) Where (by virtue of an order under this section, or because subsection (6) applies) a local authority in Wales is authorised to refuse contact between the child and a person mentioned in any of paragraphs (a) to (c) of section 95(1) of the Social Services and Well-being (Wales) Act 2014, section 95(1) of that Act does not require the authority to promote contact between the child and that person.”

99. In section 42(4) (right of officer of the Service to have access to local authority records) in paragraph (b)

(1) Mewnosodwyd adran 30A gan baragraffau 1 a 22 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(2) Diwygiwyd adran 34(1) gan adrannau 8(1) a 12(4) o Ddeddf Plant a Theuluoedd 2014 (p. 6) a pharagraffau 1 ac 31 o Atodlen 2 iddi.

(3) Mewnosodwyd is-adran (6A) yn adran 34 gan adran 8(1) a (3) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(4) Diwygiwyd adran 42 gan baragraffau 87 a 92 o Atodlen 7 i Ddeddf Cyfiawnder Troseddol a Gwasanaethau Llysoedd 2000 (p. 43); gan baragraffau 5 a 10 o Atodlen 3 i Ddeddf Plant 2004 (p. 31); adran 116 o Ddeddf Llysoedd a Gwasanaethau Cyfreithiol 1990 (p. 41) a pharagraff 18 o Atodlen 16 iddi ac Atodlen 20 iddi, a chan baragraff 20 o Atodlen 5 i Ddeddf Llywodraeth Leol 2000 (p. 22).

(1) Section 30A was inserted by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 22.

(2) Section 34(1) was amended by the Children and Families Act 2014 (c. 6), sections 8(1) and 12(4) and Schedule 2, paragraphs 1 and 31.

(3) Subsection (6A) was inserted into section 34 by the Children and Families Act 2014 (c. 6), section 8(1) and (3).

(4) Section 42 was amended by the Criminal Justice and Court Services Act 2000 (c. 43), Schedule 7, paragraphs 87 and 92; by the Children Act 2004 (c. 31), Schedule 3, paragraphs 5 and 10; the Courts and Legal Services Act 1990 (c. 41), section 116 and Schedule 16, paragraph 18, and Schedule 20, and by the Local Government Act 2000 (c. 22), Schedule 5, paragraph 20.

mharagraff (b) o is-adran (1), ar ôl “1970” mewnosoder “or for the purposes of the Social Services and Well-being (Wales) Act 2014”.

100. Yn adran 47 (dyletswydd awdurdod lleol i ymchwilio), yn lle is-adran (3)(a)(1) rhodder—

“(a) whether the authority should—

- (i) make any application to court under this Act;
- (ii) exercise any of their other powers under this Act;
- (iii) exercise any of their powers under section 11 of the Crime and Disorder Act 1998 (child safety orders); or
- (iv) (where the authority is a local authority in Wales) exercise any of their powers under the Social Services and Well-being (Wales) Act 2014;

with respect to the child;”.

101. Yn adran 59 (darparu llety gan sefydliadau gwirfoddol)—

(a) yn is-adran (3A)(2) ar ôl “Regulations” mewnosoder “made in relation to England”;

(b) ar ôl is-adran (3A) mewnosoder—

“(3B) Regulations made in relation to Wales under subsection (2) or (3) may in particular make provision which (with any necessary modifications) is similar to that which may be made under sections 81 or 87 of the Social Services and Well-being (Wales) Act 2014, including provision which may be made under section 87 in accordance with the examples given in sections 89, 92 and 93 of that Act.”;

(c) yn is-adran (5A) ar ôl “Regulations” mewnosoder “made in relation to England”;

(d) ar ôl is-adran (5A) mewnosoder—

“(5B) Regulations made in relation to Wales under subsection (4) may in particular make provision which (with any necessary modifications) is similar to that which may be made under sections 99, 100 or 102 of the Social Services and Well-being (Wales) Act 2014.”

of subsection (1), after “1970” insert “or for the purposes of the Social Services and Well-being (Wales) Act 2014”.

100. In section 47 (local authority’s duty to investigate), for subsection (3)(a)(1) substitute—

“(a) whether the authority should—

- (i) make any application to court under this Act;
- (ii) exercise any of their other powers under this Act;
- (iii) exercise any of their powers under section 11 of the Crime and Disorder Act 1998 (child safety orders); or
- (iv) (where the authority is a local authority in Wales) exercise any of their powers under the Social Services and Well-being (Wales) Act 2014;

with respect to the child;”.

101. In section 59 (provision of accommodation by voluntary organisations)—

(a) in subsection (3A)(2) after “Regulations” insert “made in relation to England”;

(b) after subsection (3A) insert—

“(3B) Regulations made in relation to Wales under subsection (2) or (3) may in particular make provision which (with any necessary modifications) is similar to that which may be made under sections 81 or 87 of the Social Services and Well-being (Wales) Act 2014, including provision which may be made under section 87 in accordance with the examples given in sections 89, 92 and 93 of that Act.”;

(c) in subsection (5A) after “Regulations” insert “made in relation to England”;

(d) after subsection (5A) insert—

“(5B) Regulations made in relation to Wales under subsection (4) may in particular make provision which (with any necessary modifications) is similar to that which may be made under sections 99, 100 or 102 of the Social Services and Well-being (Wales) Act 2014.”

(1) Diwygiwyd adran 47(3) gan baragraff 69 o Atodlen 8 i Ddeddf Trosedd ac Anhrefn 1998 (p. 37).

(2) Mewnosodwyd is-adran (3A) yn adran 59 gan baragraff 2(1) a (6) o Atodlen 1 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(1) Section 47(3) was amended by the Crime and Disorder Act 1998 (c. 37), Schedule 8, paragraph 69.

(2) Subsection (3A) was inserted into section 59 by the Children and Young Persons Act 2008 (c. 23), Schedule 1, paragraph 2(1) and (6).

102. Yn adran 85 (plant sy'n cael eu lletya gan awdurdodau iechedd ac awdurdodau addysg lleol)—

- (a) yn is-adran (1)(1)—
 - (i) ar ôl “accommodation” mewnosoder “in England”;
 - (ii) hepgorer “Local Health Board”;
 - (iii) ar ôl “local authority” mewnosoder “in England”;
- (b) yn is-adran (2A)(2) yn lle “provided with accommodation by a local authority” rhodder “provided with accommodation in England by a local authority in England”;
- (c) yn is-adran (3A)(b)(3) yn lle “lead director for children and young person’s services” rhodder “director of social services”;
- (d) yn is-adran (4)(4) yn lle “local authority has been notified under this section” rhodder “local authority in England has been notified under this section, or under section 120 of the Social Services and Well-being (Wales) Act 2014 (assessment of children accommodated by health authorities and education authorities)”.

103. Yn adran 86(5) (plant sy'n cael eu lletya mewn cartrefi gofal neu ysbytai annibynnol)—

- (a) yn is-adran (1)(6) ar ôl “accommodation” mewnosoder “in England”;
- (b) yn is-adran (5)(7) ar ôl “local authority” mewnosoder “in England”.

104. Yn adran 86A(8) (ymwelwyr â phlant yr hysbysir awdurdod lleol amdanynt o dan adran 85 neu 86)—

102. In section 85 (children accommodated by health authorities and local education authorities)—

- (a) in subsection (1)(1)—
 - (i) after “accommodation” insert “in England”;
 - (ii) omit “Local Health Board”;
 - (iii) after “local authority” insert “in England”;
- (b) in subsection (2A)(2) for “provided with accommodation by a local authority” substitute “provided with accommodation in England by a local authority in England”;
- (c) in subsection (3A)(b)(3) for “lead director for children and young person’s services” substitute “director of social services”;
- (d) in subsection (4)(4) for “local authority has been notified under this section” substitute “local authority in England has been notified under this section, or under section 120 of the Social Services and Well-being (Wales) Act 2014 (assessment of children accommodated by health authorities and education authorities)”.

103. In section 86(5) (children accommodated in care homes or independent hospitals)—

- (a) in subsection (1)(6) after “accommodation” insert “in England”;
- (b) in subsection (5)(7) after “local authority” insert “in England”.

104. In section 86A(8) (visitors for children notified to local authority under section 85 or 86)—

(1) Diwygiwyd adran 85(1) gan baragraff 118(9) o Atodlen 1 i Ddeddf Awdurdodau Iechyd 1995 (p. 17); gan baragraffau 47 a 55(a) o Atodlen 5 i Ddeddf Iechyd a Gofal Cymdeithasol 2012 (p. 7); gan baragraff 36(5) o Atodlen 5 i Ddeddf y Gwasanaeth Iechyd Gwladol a Gofal yn y Gymuned 1990 (p. 19); gan adran 17(1) a (2) o Ddeddf Plant a Phobl Ifanc 2008 (p. 23); gan baragraff 20(1) a (2)(h) o'r Atodlen i O.S. 2007/961 (Cy. 85); gan baragraff 24(1) a (9) o Atodlen 1 i O.S. 2000/90; a chan baragraff 37(1) a (10)(a) o Atodlen 2 i O.S. 2010/1158.

(2) Mewnosodwyd is-adran (2A) gan baragraff 37(10)(b) o Atodlen 2 i O.S. 2010/1158.

(3) Mewnosodwyd is-adran (3A) gan adran 17(1) a (3) o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(4) Diwygiwyd adran 85A(4) gan adran 17(1) a (4) o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(5) Diwygiwyd pennawd adran 86 gan baragraff 14(1) ac (20)(a) o Atodlen 4 i Ddeddf Safonau Gofal 2000 (p. 14).

(6) Diwygiwyd adran 86(1) gan baragraff 14(1) ac (20)(b) o Atodlen 4 i Ddeddf Safonau Gofal 2000 (p. 14).

(7) Diwygiwyd adran 86(5) gan baragraff 14(1) ac (20)(b) o Atodlen 4 i Ddeddf Safonau Gofal 2000 (p. 14).

(8) Mewnosodwyd adran 86A gan adran 18 o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(1) Section 85(1) was amended by the Health Authorities Act 1995 (c. 17), Schedule 1, paragraph 118(9); by the Health and Social Care Act 2012 (c. 7), Schedule 5, paragraphs 47 and 55(a); by the National Health Service and Community Care Act 1990 (c. 19), Schedule 5, paragraph 36(5); by the Children and Young Persons Act 2008 (c. 23), section 17(1) and (2); by S.I. 2007/961 (W. 85), paragraph 20(1) and (2)(h) of the Schedule; S.I. 2000/90, Schedule 1, paragraph 24(1) and (9), and by S.I. 2010/1158, Schedule 2, paragraph 37(1) and (10)(a).

(2) Subsection (2A) was inserted by S.I. 2010/1158, Schedule 2, paragraph 37(10)(b).

(3) Subsection (3A) was inserted by the Children and Young Persons Act 2008 (c. 23), section 17(1) and (3).

(4) Section 85A(4) was amended by the Children and Young Persons Act 2008 (c. 23), section 17(1) and (4).

(5) The section heading to section 86 was amended by the Care Standards Act 2000 (c. 14), Schedule 4, paragraph 14(1) and (20)(a).

(6) Section 86(1) was amended by the Care Standards Act 2000 (c. 14), Schedule 4, paragraph 14(1) and (20)(b).

(7) Section 86(5) was amended by the Care Standards Act 2000 (c. 14), Schedule 4, paragraph 14(1) and (20)(b).

(8) Section 86A was inserted by the Children and Young Persons Act 2008 (c. 23), section 18.

- (a) yn is-adran (1) ar ôl “local authority” mewnosoder “in England”;
- (b) yn is-adran (1)(a) ar ôl “section 85(1) or 86(1)” mewnosoder “, or under section 120(2)(a) of the Social Services and Well-being (Wales) Act 2014”;
- (c) yn is-adran (1)(b) yn lle “or, as the case may be, 86(2)” rhodder “, 86(2), or under section 120(2)(b) of the Social Services and Well-being (Wales) Act 2014, as the case may be”;
- (d) yn is-adran (5) hepgorer “and the Welsh Ministers acting jointly”;
- (e) yn y pennawd hepgorer “under section 85 or 86”.

105. Yn lle adran 104A(1) (rheoliadau a gorchmynion a wneir gan Weinidogion Cymru o dan Ran 3 etc.) rhodder—

“Regulations made by the Welsh Ministers under section 31A or Part 7

104A.—(1) Any power of the Welsh Ministers under section 31A or Part 7 to make regulations shall be exercisable by statutory instrument.

(2) Any such statutory instrument shall be subject to annulment in pursuance of a resolution of the National Assembly for Wales.”

106. Yn adran 105 (dehongli)—

- (a) yn is-adran (1) yn lle’r diffiniad o “local authority foster parent” rhodder—
 - ““local authority foster parent”(2) means a person authorised as such in accordance with regulations made by virtue of—
 - (a) paragraph 12F of Schedule 2; or
 - (b) sections 87 and 93 of the Social Services and Well-being (Wales) Act 2014 (regulations providing for approval of local authority foster parents);”;
- (b) yn lle is-adran (4) rhodder—
 - “(4) References in this Act to a child who is looked after—
 - (a) in relation to a child who is looked after by a local authority in England,

(1) Mewnosodwyd adran 104A gan baragraffau 1 a 26 o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23), ac fe’i diwygiwyd gan adran 16(2) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(2) Amnewidiwyd y diffiniad o “local authority foster parent” gan baragraff 3(1) a (4) o Atodlen 1 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

- (a) in subsection (1) after “local authority” insert “in England”;
- (b) in subsection (1)(a) after “section 85(1) or 86(1)” insert “, or under section 120(2)(a) of the Social Services and Well-being (Wales) Act 2014”;
- (c) in subsection (1)(b) for “or, as the case may be, 86(2)” substitute “, 86(2), or under section 120(2)(b) of the Social Services and Well-being (Wales) Act 2014, as the case may be”;
- (d) in subsection (5) omit “and the Welsh Ministers acting jointly”;
- (e) in the heading omit “under section 85 or 86”.

105. For section 104A(1) (regulations and orders made by the Welsh Ministers under Part 3 etc.) substitute—

“Regulations made by the Welsh Ministers under section 31A or Part 7

104A.—(1) Any power of the Welsh Ministers under section 31A or Part 7 to make regulations shall be exercisable by statutory instrument.

(2) Any such statutory instrument shall be subject to annulment in pursuance of a resolution of the National Assembly for Wales.”

106. In section 105 (interpretation)—

- (a) in subsection (1) for the definition of “local authority foster parent” substitute—
 - ““local authority foster parent”(2) means a person authorised as such in accordance with regulations made by virtue of—
 - (a) paragraph 12F of Schedule 2; or
 - (b) sections 87 and 93 of the Social Services and Well-being (Wales) Act 2014 (regulations providing for approval of local authority foster parents);”;
- (b) for subsection (4) substitute—
 - “(4) References in this Act to a child who is looked after—
 - (a) in relation to a child who is looked after by a local authority in England,

(1) Section 104A was inserted by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 26; and was amended by the Children and Families Act 2014 (c. 6), section 16(2).

(2) The definition of “local authority foster parent” was substituted by the Children and Young Persons Act 2008 (c. 23), Schedule 1, paragraph 3(1) and (4).

has the meaning given in section 22;
and

(b) in relation to a child who is looked after by a local authority in Wales, has the meaning given in section 74 of the Social Services and Well-being (Wales) Act 2014 (child or young person looked after by a local authority).”;

(c) yn is-adran (5)(1) hepgorer “within the meaning of the Local Authority Social Services Act 1970”;

(d) ar ôl is-adran (5) mewnosoder—

“(5B) In subsection (5) “social services functions” means—

(a) in England, social services functions within the meaning of the Local Authority Social Services Act 1970, and

(b) in Wales, social services functions within the meaning of the Social Services and Well-being (Wales) Act 2014.”

107. Ar ôl y pennawd yn Atodlen 2 (cymorth awdurdod lleol i blant a theuluoedd) mewnosoder—

“Application to local authorities in England

A1.—(1) This Schedule applies only in relation to local authorities in England.

(2) Accordingly, unless the contrary intention appears, a reference in this Schedule to a local authority means a local authority in England.”

108. Yn Atodlen 2, ym mharagraff 4 (atal esgeulustod a chamdriniaeth)—

(a) yn is-baragraff (2)(b) ar ôl “another local authority” mewnosoder “or in the area of a local authority in Wales”;

(b) yn is-baragraff (2) ar ôl “that other local authority” mewnosoder “or the local authority in Wales, as the case may be”;

(c) yn is-baragraff (3) ar ôl “that other local authority” mewnosoder “or the local authority in Wales”.

109. Yn Atodlen 2, ym mharagraff 6(2)(2) (darpariaeth ar gyfer plant anabl) yn lle “appropriate national authority” rhodder “Secretary of State”.

has the meaning given in section 22;
and

(b) in relation to a child who is looked after by a local authority in Wales, has the meaning given in section 74 of the Social Services and Well-being (Wales) Act 2014 (child or young person looked after by a local authority).”;

(c) in subsection (5)(1) omit “within the meaning of the Local Authority Social Services Act 1970”;

(d) after subsection (5) insert—

“(5B) In subsection (5) “social services functions” means—

(a) in England, social services functions within the meaning of the Local Authority Social Services Act 1970, and

(b) in Wales, social services functions within the meaning of the Social Services and Well-being (Wales) Act 2014.”

107. After the heading in Schedule 2 (local authority support for children and families) insert—

“Application to local authorities in England

A1.—(1) This Schedule applies only in relation to local authorities in England.

(2) Accordingly, unless the contrary intention appears, a reference in this Schedule to a local authority means a local authority in England.”

108. In Schedule 2, in paragraph 4 (prevention of neglect and abuse)—

(a) in sub-paragraph (2)(b) after “another local authority” insert “or in the area of a local authority in Wales”;

(b) in sub-paragraph (2) after “that other local authority” insert “or the local authority in Wales, as the case may be”;

(c) in sub-paragraph (3) after “that other local authority” insert “or the local authority in Wales”.

109. In Schedule 2, in paragraph 6(2)(2) (provision for disabled children) for “appropriate national authority” substitute “Secretary of State”.

(1) Diwygiwyd adran 105(5) gan baragraff 22 o Atodlen 5 i Ddeddf Llywodraeth Leol 2000 (p. 22).

(2) Diwygiwyd paragraff 6, a mewnosodwyd is-baragraff (2), gan adran 25 o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(1) Section 105(5) was amended by the Local Government Act 2000 (c. 22), Schedule 5, paragraph 22.

(2) Paragraph 6 was amended, and sub-paragraph (2) was inserted, by the Children and Young Persons Act 2008 (c. 23), section 25.

110. Yn Atodlen 2, ym mharagraff 7(c) ar ôl “secure accommodation” mewnosoder “within the meaning given in section 25 and in section 119 of the Social Services and Well-being (Wales) Act 2014”.

111. Yn Atodlen 2, ym mharagraff 8A(2)(1) (darpariaeth ar gyfer plant sy’n cael eu lletya) ar ôl “under section 85 or 86” mewnosoder “or under section 120 of the Social Services and Well-being (Wales) Act 2014 (assessment of children accommodated by health authorities and education authorities)”.

112. Yn Atodlen 2, ym mhennawd Rhan 2 (plant sy’n derbyn gofal gan awdurdodau lleol), ar y diwedd mewnosoder “in England”.

113. Yn Atodlen 2, ym mharagraff 12F(2) (cymeradwyo rhieni maeth awdurdod lleol)—

- (a) yn is-baragraff (1)(a) ar ôl “prescribed” mewnosoder “in regulations made by the Secretary of State”;
- (b) yn is-baragraff (1)(b) yn lle “that national authority” rhodder “the Secretary of State”;
- (c) yn y darpariaethau a ganlyn yn lle “appropriate national authority” ym mhob lle y mae’n digwydd, rhodder “Secretary of State”—
 - (i) is-baragraff (1)(b);
 - (ii) is-baragraff (4);
 - (iii) is-baragraff (5);
 - (iv) is-baragraff (6);
 - (v) is-baragraff (7);
 - (vi) is-baragraff (8);
 - (vii) is-baragraff (9);
- (d) hepgorer is-baragraff (10);
- (e) yn is-baragraff (11), yn y diffiniad o “organisation” ar ôl “includes” mewnosoder “the Welsh Ministers,”.

114. Yn Atodlen 2, ym mharagraff 15(3) (hybu cynnal cysylltiad rhwng plentyn a theulu) ar ôl “another local authority” mewnosoder “or a local authority in Wales”.

115. Yn Atodlen 2, ym mharagraff 19B(3) (swyddogaethau ychwanegol mewn perthynas â phlant cymwys)—

110. In Schedule 2, in paragraph 7(c) after “secure accommodation” insert “within the meaning given in section 25 and in section 119 of the Social Services and Well-being (Wales) Act 2014”.

111. In Schedule 2, in paragraph 8A(2)(1) (provision for accommodated children) after “under section 85 or 86” insert “or under section 120 of the Social Services and Well-being (Wales) Act 2014 (assessment of children accommodated by health authorities and education authorities)”.

112. In Schedule 2, in the heading of Part 2 (children looked after by local authorities), at the end insert “in England”.

113. In Schedule 2, in paragraph 12F(2) (approval of local authority foster parents)—

- (a) in sub-paragraph (1)(a) after “prescribed” insert “in regulations made by the Secretary of State”;
- (b) in sub-paragraph (1)(b) for “that national authority” substitute “the Secretary of State”;
- (c) in the following provisions for “appropriate national authority” in each place that it occurs, substitute “Secretary of State”—
 - (i) sub-paragraph (1)(b);
 - (ii) sub-paragraph (4);
 - (iii) sub-paragraph (5);
 - (iv) sub-paragraph (6);
 - (v) sub-paragraph (7);
 - (vi) sub-paragraph (8);
 - (vii) sub-paragraph (9);
- (d) omit sub-paragraph (10);
- (e) in sub-paragraph (11), in the definition of “organisation” after “includes” insert “the Welsh Ministers,”.

114. In Schedule 2, in paragraph 15(3) (promotion of maintenance of contact between child and family) after “another local authority” insert “or a local authority in Wales”.

115. In Schedule 2, in paragraph 19B(3) (additional functions in relation to eligible children)—

(1) Mewnosodwyd paragraff 8A gan adran 19 o Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(2) Rhoddwyd paragraffau 12A i 12G yn lle paragraffau 12 i 14, fel y’u deddfwyd yn wreiddiol, gan baragraff 4 o Atodlen 1 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(3) Mewnosodwyd paragraffau 19A i 19C gan adran 1 o Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35); diwygiwyd paragraff 19B gan baragraffau 1 a 27(1) a (3) o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(1) Paragraph 8A was inserted by the Children and Young Persons Act 2008 (c. 23), section 19.

(2) Paragraphs 12A to 12G were substituted, for paragraphs 12 to 14, as originally enacted, by the Children and Young Persons Act 2008 (c. 23), Schedule 1, paragraph 4.

(3) Paragraphs 19A to 19C were inserted by the Children (Leaving Care) Act 2000 (c. 35), section 1; paragraph 19B was amended by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 27(1) and (3).

- (a) yn is-baragraff (2)(b) ar ôl “a local authority” mewnosoder “or by a local authority in Wales”;
- (b) yn is-baragraff (3) yn lle “appropriate national authority” rhodder “Secretary of State”;
- (c) yn is-baragraff (7) yn lle “appropriate national authority” rhodder “Secretary of State”.

116. Yn Atodlen 2, ym mharagraff 19BA(1)(1) (paratoi ar gyfer peidio â derbyn gofal: trefniadau aros yn yr unfan) hepgorer “in England”.

117. Yn Atodlen 2, yn lle paragraff 20(1)(a)(2) (marwolaeth plant sy’n derbyn gofal gan awdurdodau lleol) rhodder—

“(a) shall notify the Secretary of State and Her Majesty’s Chief Inspector of Education, Children’s Services and Skills;”.

118. Yn Atodlen 2, ym mhennawd Rhan 3 (cyfraniadau tuag at gynnal plant sy’n derbyn gofal gan awdurdodau lleol), ar y diwedd mewnosoder “in England”.

119. Yn Atodlen 2, ym mharagraff 24(3) (gorfodi gorchmynion cyfrannu) o flaen paragraff (a) mewnosoder—

“(aa) a local authority in Wales;”.

120. Yn Atodlen 2, ym mharagraff 25(3) (rheoliadau)—

- (a) yn lle “appropriate national authority” rhodder “Secretary of State”;
- (b) yn is-baragraff (b) yn lle “a local authority” rhodder “they”;
- (c) yn lle is-baragraff (b)(ii) rhodder—
“(ii) any other local authority under paragraph 24(2).”

121. Yn lle pennawd Atodlen 2 rhodder—

“SUPPORT FOR CHILDREN AND FAMILIES PROVIDED BY LOCAL AUTHORITIES IN ENGLAND”.

122. Ym mharagraff 61 o Atodlen 13 (diwygiadau canlyniadol) hepgorer is-baragraffau (3) a (4).

- (a) in sub-paragraph (2)(b) after “a local authority” insert “or by a local authority in Wales”;
- (b) in sub-paragraph (3) for “appropriate national authority” substitute “Secretary of State”;
- (c) in sub-paragraph (7) for “appropriate national authority” substitute “Secretary of State”.

116. In Schedule 2, in paragraph 19BA(1)(1) (preparation for ceasing to be looked after: staying put arrangements) omit “in England”.

117. In Schedule 2, for paragraph 20(1)(a)(2) (death of children being looked after by local authorities) substitute—

“(a) shall notify the Secretary of State and Her Majesty’s Chief Inspector of Education, Children’s Services and Skills;”.

118. In Schedule 2, in the heading of Part 3 (contributions towards maintenance of children looked after by local authorities), at the end insert “in England”.

119. In Schedule 2, in paragraph 24(3) (enforcement of contribution orders) before paragraph (a) insert—

“(aa) a local authority in Wales;”.

120. In Schedule 2, in paragraph 25(3) (regulations)—

- (a) for “appropriate national authority” substitute “Secretary of State”;
- (b) in sub-paragraph (b) for “a local authority” substitute “they”;
- (c) for sub-paragraph (b)(ii) substitute—
“(ii) any other local authority under paragraph 24(2).”

121. For the heading to Schedule 2 substitute—

“SUPPORT FOR CHILDREN AND FAMILIES PROVIDED BY LOCAL AUTHORITIES IN ENGLAND”.

122. In paragraph 61 of Schedule 13 (consequential amendments) omit sub-paragraphs (3) and (4).

(1) Mewnosodwyd paragraff 19BA gan adran 98(1) a (3) o Ddeddf Plant a Theuluoedd 2014 (p. 6).
 (2) Diwygiwyd paragraff 20 gan baragraffau 1 a 27(1) a (4) o Atodlen 3 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23), a chan baragraffau 9 a 17 o Atodlen 14 i Ddeddf Addysg ac Arolygiadau 2006 (p. 40).
 (3) Diwygiwyd paragraff 25 gan baragraffau 1 a 27(1) a (5) o Atodlen 3 i Ddeddf Plant a Phobl Anabl 2008 (p. 23).

(1) Paragraph 19BA was inserted by the Children and Families Act 2014 (c. 6), section 98(1) and (3).
 (2) Paragraph 20 was amended by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 27(1) and (4), and by the Education and Inspections Act 2006 (c. 40), Schedule 14, paragraphs 9 and 17.
 (3) Paragraph 25 was amended by the Children and Young Persons Act 2008 (c. 23), Schedule 3, paragraphs 1 and 27(1) and (5).

123. Yn adran 27 o Ddeddf Optegwyr 1989 (gwerthu a chyflenwi teclynnau optegol), yn is-adran (3)(e)(i)(1), yn lle'r geiriau o "registered as blind" i'r diwedd, rhodder "section 18(1) of the Social Services and Well-being (Wales) Act 2014."

Deddf y Gwasanaeth Iechyd Gwladol a Gofal yn y Gymuned 1990 (p. 19)

124. Mae Deddf y Gwasanaeth Iechyd Gwladol a Gofal yn y Gymuned 1990 wedi ei diwygio fel a ganlyn.

125. Hepgorer adran 46 (cynlluniau awdurdod lleol ar gyfer gwasanaethau gofal yn y gymuned).

126. Yn adran 47 (asesu anghenion am wasanaethau gofal yn y gymuned)—

- (a) yn is-adran (1)(2) hepgorer "(in the case of a local authority in England) or of community care services (in the case of a local authority in Wales)";
- (b) yn is-adran (2)(3)—
 - (i) ar ôl "local authority" mewnosoder "in England";
 - (ii) hepgorer ", in the case of a local authority in England";
- (c) hepgorer is-adran (7);
- (d) yn is-adran (8), yn lle "and "community care services" have the same meanings as in section 46 above" rhodder "means a county council in England, a district council for an area in England for which there is no county council, the council of a county or county borough in Wales, a London borough council or the Common Council of the City of London".

127. Yn adran 48 (arolygu mangreoedd a ddefnyddir ar gyfer darparu gwasanaethau gofal yn y gymuned)—

- (a) yn is-adran (1)(4) yn lle "community care services" rhodder "services under Part 4 of the Social Services and Well-being (Wales) Act 2014";
- (b) yn is-adran (8) yn lle "and "community care services"" i'r diwedd rhodder "has the same meaning as in section 47".

(1) Diwygiwyd adran 27(3)(e)(i) gan baragraff 48 o'r Atodlen i O.S. 2015/914.
(2) Diwygiwyd adran 47(1) gan baragraffau 49 a 51(1) a (2) o'r Atodlen i O.S. 2015/914.
(3) Diwygiwyd adran 47(2) gan baragraffau 49 a 51(1) a (3) o'r Atodlen i O.S. 2015/914.
(4) Diwygiwyd adran 48(1) gan baragraffau 49 a 52(2)(a) o'r Atodlen i O.S. 2015/914.

123. In section 27 of the Opticians Act 1989 (sale and supply of optical appliances), in subsection (3)(e)(i)(1), for the words from "registered as blind" to the end, substitute "section 18(1) of the Social Services and Well-being (Wales) Act 2014."

National Health Service and Community Care Act 1990 (c. 19)

124. The National Health Service and Community Care Act 1990 is amended as follows.

125. Omit section 46 (local authority plans for community care services).

126. In section 47 (assessment of needs for community care services)—

- (a) in subsection (1)(2) omit "(in the case of a local authority in England) or of community care services (in the case of a local authority in Wales)";
- (b) in subsection (2)(3)—
 - (i) after "local authority" insert "in England";
 - (ii) omit ", in the case of a local authority in England";
- (c) omit subsection (7);
- (d) in subsection (8) for "and "community care services" have the same meanings as in section 46 above" substitute "means a county council in England, a district council for an area in England for which there is no county council, the council of a county or county borough in Wales, a London borough council or the Common Council of the City of London".

127. In section 48 (inspection of premises used for provision of community care services)—

- (a) in subsection (1)(4) for "community care services" substitute "services under Part 4 of the Social Services and Well-being (Wales) Act 2014";
- (b) in subsection (8) for "and "community care services"" to the end substitute "has the same meaning as in section 47".

(1) Section 27(3)(e)(i) was amended by S.I. 2015/914, Schedule, paragraph 48.
(2) Section 47(1) was amended by S.I. 2015/914, Schedule, paragraphs 49, 51(1), (2).
(3) Section 47(2) was amended by S.I. 2015/914, Schedule, paragraphs 49, 51(1), (3).
(4) Section 48(1) was amended by S.I. 2015/914, Schedule, paragraphs 49, 52(2)(a).

Deddf Cyfiawnder Troseddol 1991 (p. 53)

128. Yn adran 60(3)(1) o Ddeddf Cyfiawnder Troseddol 1991 (remandau a thraddodi i lety awdurdod lleol)—

- (a) ar ôl “Children Act 1989” mewnosoder “or section 119 of the Social Services and Well-being (Wales) Act 2014”, a
- (b) yn lle “of that Act” rhodder “of the Children Act 1989”.

Deddfy Diwydiant Dŵr 1991 (p. 56)

129. Ym mharagraff 8(2) o Atodlen 4A(2) i Ddeddf y Diwydiant Dŵr 1991 (mangreoedd nad ydynt i gael eu datgysylltu am fethiant i dalu ffioedd) yn y diffiniad o “care home”—

- (a) hepgorer paragraff (b), a
- (b) ar ôl paragraff (c) mewnosoder—
 - “(d) a building or part of a building—
 - (i) in which accommodation is provided under Part 4 of the Social Services and Well-being (Wales) Act 2014; and
 - (ii) which is not part of premises any part of which is a children’s home within the meaning of the Care Standards Act 2000;”.

Deddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992 (p. 4)

130. Mae Deddf Cyfraniadau a Budd-daliadau Nawdd Cymdeithasol 1992 wedi ei diwygio fel a ganlyn.

131. Yn adran 143 (ystyr “person responsible for child or qualifying young person”), yn is-adran (3)(c)(3)—

- (a) hepgorer is-baragraff (i);
- (b) ar ôl is-baragraff (vii) hepgorer “ or”;
- (c) ar ôl is-baragraff (viii) mewnosoder—
 - “or
 - (ix) Part 4 of the Social Services and Well-being (Wales) Act 2014.”

Criminal Justice Act 1991 (c. 53)

128. In section 60(3)(1) of the Criminal Justice Act 1991 (remands and committals to local authority accommodation)—

- (a) after “Children Act 1989” insert “or section 119 of the Social Services and Well-being (Wales) Act 2014”, and
- (b) for “of that Act” substitute “of the Children Act 1989”.

Water Industry Act 1991 (c. 56)

129. In paragraph 8(2) of Schedule 4A(2) to the Water Industry Act 1991 (premises that are not to be disconnected for non-payment of charges) in the definition of “care home”—

- (a) omit paragraph (b), and
- (b) after paragraph (c) insert—
 - “(d) a building or part of a building—
 - (i) in which accommodation is provided under Part 4 of the Social Services and Well-being (Wales) Act 2014; and
 - (ii) which is not part of premises any part of which is a children’s home within the meaning of the Care Standards Act 2000;”.

Social Security Contributions and Benefits Act 1992 (c. 4)

130. The Social Security Contributions and Benefits Act 1992 is amended as follows.

131. In section 143 (meaning of “person responsible for child or qualifying young person”), in subsection (3)(c)(3)—

- (a) omit sub-paragraph (i);
- (b) after sub-paragraph (vii) omit “or”;
- (c) after sub-paragraph (viii) insert—
 - “or
 - (ix) Part 4 of the Social Services and Well-being (Wales) Act 2014.”

(1) Diwygiwyd adran 60(3) gan baragraffau 26 ac 28(a) a (b) o Atodlen 12 i Ddeddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwr 2012 (p. 10) a chan baragraff 127 o Atodlen 11 i Ddeddf Troseddu a'r Llysoedd 2013 (p. 22).

(2) Mewnosodwyd Atodlen 4A gan adran 1(2) o Ddeddf y Diwydiant Dŵr 1999 (p. 9) ac Atodlen 1 iddi.

(3) Yn adran 143(3)(c), amnewidiwyd is-baragraffau (vii) ac (viii) gan baragraff 4(2) o Ran 1 o Atodlen 1 i O.S. 2013/1465.

(1) Section 60(3) was amended by the Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10), Schedule 12, paragraphs 26, 28(a) and (b) and by the Crime and Courts Act 2013 (c. 22), Schedule 11, paragraph 127.

(2) Schedule 4A was inserted by the Water Industry Act 1999 (c. 9), section 1(2) and Schedule 1.

(3) In section 143(3)(c), sub-paragraphs (vii) and (viii) were substituted by S.I. 2013/1465, Part 1 of Schedule 1, paragraph 4(2).

132. Yn adran 171ZB(1) (hawlogaeth: mabwysiadu) ar y diwedd mewnosoder—

“(10) This section has effect in a case involving a child placed under section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales with a local authority foster parent who has been approved as a prospective adopter with the following modifications—

- (a) the references in subsection (2) to a child being placed for adoption under the law of any part of the United Kingdom are to be treated as references to a child being placed under section 81 in that manner;
- (b) the reference in subsection (3) to the week in which the adopter is notified of being matched with the child for the purposes of adoption is to be treated as a reference to the week in which the prospective adopter is notified that the child is to be, or is expected to be, placed with the prospective adopter under section 81;
- (c) the reference in subsection (6) to placement for adoption is to be treated as a reference to placement under section 81;
- (d) the definition in subsection (7) is to be treated as if it were a definition of “prospective adopter”.

(11) Where, by virtue of subsection (10), a person becomes entitled to statutory paternity pay in connection with the placement of a child under section 81 of the Social Services and Well-being (Wales) Act 2014, the person may not become entitled to payments of statutory paternity pay in connection with the placement of the child for adoption.”

133. Yn adran 171ZE(2) (cyfradd a chyfnod cyflog) ar y diwedd mewnosoder—

“(13) Where statutory paternity pay is payable to a person by virtue of section 171ZB(10), this section has effect as if—

-
- (1) Mewnosodwyd adrannau 171ZB a 171ZE gan adran 2 o Ddeddf Cyflogaeth 2002 (p. 22). Symudwyd adrannau 171ZA i 171ZE o dan bennawd newydd, sef “Ordinary Statutory Paternity Pay”, gan baragraff 11 o Atodlen 1 i Ddeddf Gwaith a Theuluoedd 2006 (p. 18). Symudwyd yr adrannau hyn wedyn i Ran XIIZA pan ddiddymwyd y pennawd “Ordinary Statutory Paternity Pay” gan baragraff 11 o Atodlen 7 i Ddeddf Plant a Theuluoedd 2014 (p. 6). Mewnosodwyd is-adrannau (8) a (9) o adran 171ZB gan adran 121(3) o Ddeddf Plant a Theuluoedd 2014.
 - (2) Mewnosodwyd is-adran (12) o adran 171ZE gan adran 121(4) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

132. In section 171ZB(1) (entitlement: adoption) at the end insert—

“(10) This section has effect in a case involving a child placed under section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales with a local authority foster parent who has been approved as a prospective adopter with the following modifications—

- (a) the references in subsection (2) to a child being placed for adoption under the law of any part of the United Kingdom are to be treated as references to a child being placed under section 81 in that manner;
- (b) the reference in subsection (3) to the week in which the adopter is notified of being matched with the child for the purposes of adoption is to be treated as a reference to the week in which the prospective adopter is notified that the child is to be, or is expected to be, placed with the prospective adopter under section 81;
- (c) the reference in subsection (6) to placement for adoption is to be treated as a reference to placement under section 81;
- (d) the definition in subsection (7) is to be treated as if it were a definition of “prospective adopter”.

(11) Where, by virtue of subsection (10), a person becomes entitled to statutory paternity pay in connection with the placement of a child under section 81 of the Social Services and Well-being (Wales) Act 2014, the person may not become entitled to payments of statutory paternity pay in connection with the placement of the child for adoption.”

133. In section 171ZE(2) (rate and period of pay) at the end insert—

“(13) Where statutory paternity pay is payable to a person by virtue of section 171ZB(10), this section has effect as if—

-
- (1) Sections 171ZB and 171ZE were inserted by the Employment Act 2002 (c. 22), section 2. Sections 171ZA to 171ZE were moved under a new heading “Ordinary Statutory Paternity Pay” by the Work and Families Act 2006 (c. 18) Schedule 1, paragraph 11. These sections were then moved to Part XIIZA upon the repeal of the “Ordinary Statutory Paternity Pay” heading by the Children and Families Act 2014 (c. 6), Schedule 7, paragraph 11. Subsections (8) and (9) of section 171ZB were inserted by the Children and Families Act 2014, section 121(3).
 - (2) Subsection (12) of section 171ZE was inserted by the Children and Families Act 2014 (c. 6), section 121(4).

- (a) the references in subsections (3)(b) and (10) to placement for adoption were references to placement under section 81 of the Social Services and Well-being (Wales) Act 2014;
- (b) the references in subsection (10) to being placed for adoption were references to being placed under section 81.”

134. Yn adran 171ZJ(1)(1) (Rhan 12ZA: atodol) yn y diffiniad o “local authority foster parent”, yn lle “section 22C(12)” rhodder “section 105(1)”.

135. Yn adran 171ZL(2) (hawlogaeth) ar y diwedd mewnosoder—

“(11) This section has effect in a case involving a child who is, or is expected to be, placed under section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales with a local authority foster parent who has been approved as a prospective adopter with the following modifications—

- (a) the references in subsections (2)(a) and (4A)(a) to a child being placed for adoption under the law of any part of the United Kingdom are to be treated as references to a child being placed under section 81 in that manner;
- (b) the reference in subsection (3) to the week in which the person is notified that he has been matched with the child for the purposes of adoption is to be treated as a reference to the week in which the person is notified that the child is to be, or is expected to be placed with him under section 8;
- (c) the references in subsection (4B)(a) to adoption are to be treated as references to placement under section 81;
- (d) the reference in subsection (5) to placement, or expected placement, for adoption is to be treated as a reference

- (a) the references in subsections (3)(b) and (10) to placement for adoption were references to placement under section 81 of the Social Services and Well-being (Wales) Act 2014;
- (b) the references in subsection (10) to being placed for adoption were references to being placed under section 81.”

134. In section 171ZJ(1)(1) (Part 12ZA: supplementary) in the definition of “local authority foster parent”, for “section 22C(12)” substitute “section 105(1)”.

135. In section 171ZL(2) (entitlement) at the end insert—

“(11) This section has effect in a case involving a child who is, or is expected to be, placed under section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales with a local authority foster parent who has been approved as a prospective adopter with the following modifications—

- (a) the references in subsections (2)(a) and (4A)(a) to a child being placed for adoption under the law of any part of the United Kingdom are to be treated as references to a child being placed under section 81 in that manner;
- (b) the reference in subsection (3) to the week in which the person is notified that he has been matched with the child for the purposes of adoption is to be treated as a reference to the week in which the person is notified that the child is to be, or is expected to be placed with him under section 8;
- (c) the references in subsection (4B)(a) to adoption are to be treated as references to placement under section 81;
- (d) the reference in subsection (5) to placement, or expected placement, for adoption is to be treated as a reference

(1) Mewnosodwyd adran 171ZJ gan adran 2 o Ddeddf Cyflogaeth 2002 (p. 22). Symudwyd yr adran hon o dan y pennawd “Ordinary and additional statutory paternity pay: supplementary provisions” gan baragraff 17 o Atodlen 1 i Ddeddf Gwaith a Theuluoedd 2006 (p. 18). Symudwyd yr adran eto wedyn i Ran XIIZA pan ddiddymwyd y croesbennawd “Ordinary and additional statutory paternity pay: supplementary provisions” gan baragraff 18 o Atodlen 7 i Ddeddf Plant a Theuluoedd 2014 (p. 6). Mewnosodwyd y diffiniad o “local authority foster parent” yn is-adran (1) gan adran 121(7)(a) o Ddeddf Plant a Theuluoedd 2014.

(2) Mewnosodwyd adran 171ZL gan adran 4 o Ddeddf Cyflogaeth 2002 (p. 22). Mewnosodwyd is-adrannau (9) a (10) gan adran 121(5) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(1) Section 171ZJ was inserted by the Employment Act 2002 (c.22), section 2. This section was moved under heading “Ordinary and additional statutory paternity pay: supplementary provisions” by the Work and Families Act 2006 (c.18), Schedule 1, paragraph 17. The section was then moved again to Part XIIZA upon the repeal of the cross-heading, “Ordinary and additional statutory paternity pay: supplementary provisions” by the Children and Families Act 2014 (c. 6), Schedule 7, paragraph 18. The definition of “local authority foster parent” in subsection (1) was inserted by the Children and Families Act 2014, section 121(7)(a).

(2) Section 171ZL was inserted by the Employment Act 2002 (c. 22), section 4. Subsections (9) and (10) were inserted by the Children and Families Act 2014 (c. 6), section 121(5).

to placement, or expected placement under section 81.

(12) Where, by virtue of subsection (11), a person becomes entitled to statutory adoption pay in respect of a child who is, or is expected to be, placed under section 81 of the Social Services and Well-being (Wales) Act 2014, the person may not become entitled to payments of statutory adoption pay as a result of the child being, or being expected to be, placed for adoption.”

136. Yn adran 171ZN(1) (cyfradd a chyfnod cyflog) ar y diwedd mewnosoder—

“(10) Where statutory adoption pay is payable to a person by virtue of section 171ZL(11), this section has effect as if the reference in subsection (2F) to the week in which the person is notified that he has been matched with a child for the purposes of adoption were a reference to the week in which the person is notified that a child is to be, or is expected to be, placed with him under section 81 of the Social Services and Well-being (Wales) Act 2014.”

137. Yn adran 171ZS(1)(2) (Rhan 12ZB: atodol) yn y diffiniad o “local authority foster parent”, yn lle “section 22C(12)” rhodder “section 105(1)”.

138. Yn adran 171ZV(3) (hawlogaeth: mabwysiadu) yn lle is-adrannau (17) a (18) rhodder—

“(17) Regulations are to provide for entitlement to statutory shared parental pay in respect of a child placed, or expected to be placed—

- (a) under section 22C of the Children Act 1989 by a local authority in England, or
- (b) under section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales,

with a local authority foster parent who has been approved as a prospective adopter.

(18) This section has effect in relation to regulations made by virtue of subsection (17) as if—

to placement, or expected placement under section 81.

(12) Where, by virtue of subsection (11), a person becomes entitled to statutory adoption pay in respect of a child who is, or is expected to be, placed under section 81 of the Social Services and Well-being (Wales) Act 2014, the person may not become entitled to payments of statutory adoption pay as a result of the child being, or being expected to be, placed for adoption.”

136. In section 171ZN(1) (rate and period of pay) at the end insert—

“(10) Where statutory adoption pay is payable to a person by virtue of section 171ZL(11), this section has effect as if the reference in subsection (2F) to the week in which the person is notified that he has been matched with a child for the purposes of adoption were a reference to the week in which the person is notified that a child is to be, or is expected to be, placed with him under section 81 of the Social Services and Well-being (Wales) Act 2014.”

137. In section 171ZS(1)(2) (Part 12ZB: supplementary) in the definition of “local authority foster parent”, for “section 22C(12)” substitute “section 105(1)”.

138. In section 171ZV(3) (entitlement: adoption) for subsections (17) and (18) substitute—

“(17) Regulations are to provide for entitlement to statutory shared parental pay in respect of a child placed, or expected to be placed—

- (a) under section 22C of the Children Act 1989 by a local authority in England, or
- (b) under section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales,

with a local authority foster parent who has been approved as a prospective adopter.

(18) This section has effect in relation to regulations made by virtue of subsection (17) as if—

(1) Mewnosodwyd adran 171ZN gan adran 4 o Ddeddf Cyflogaeth 2002 (p. 22). Mewnosodwyd is-adran (9) gan adran 121(6) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(2) Mewnosodwyd adran 171ZS gan adran 4 o Ddeddf Cyflogaeth 2002 (p. 22). Mewnosodwyd y diffiniad o “local authority foster parent” gan adran 121(7)(b) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(3) Mewnosodwyd adran 171ZV gan adran 119(1) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(1) Section 171ZN was inserted by the Employment Act 2002 (c. 22), section 4. Subsection (9) was inserted by the Children and Families Act 2014 (c. 6), section 121(6).

(2) Section 171ZS was inserted by the Employment Act 2002 (c. 22), section 4. The definition of “local authority foster parent” was inserted by the Children and Families Act 2014 (c. 6), section 121(7)(b).

(3) Section 171ZV was inserted by the Children and Families Act 2014 (c. 6), section 119(1).

- (a) references to a child being placed for adoption under the law of any part of the United Kingdom were references to being placed under section 22C of the Children Act 1989 or section 81 of the Social Services and Well-being (Wales) Act 2014 with a local authority foster parent who has been approved as a prospective adopter;
- (b) references to a placement for adoption were references to placement under section 22C of the Children Act 1989 or section 81 of the Social Services and Well-being (Wales) Act 2014 with such a person.”

139. Yn adran 171ZZ4(1)(1) (Rhan 12ZC: atodol) yn y diffiniad o “local authority foster parent”, yn lle “section 22C(12)” rhodder “section 105(1)”.

Deddf Addysg Bellach ac Uwch 1992 (p. 13)

140. Yn adran 85D(7) o Ddeddf Addysg Bellach ac Uwch 1992(2) (cofnodi’r defnydd o rym gan aelodau o staff ac adrodd arno: Lloegr) ar ôl “Children Act 1989” mewnosoder “or section 76 of the Social Services and Well-being (Wales) Act 2014”.

Deddf Cyllid Llywodraeth Leol 1992 (p. 14)

141. Ym mharagraff 7(2) o Atodlen 1 i Ddeddf Cyllid Llywodraeth Leol 1992 (personau a ddiystyrir at ddibenion disgownt y dreth gyngor), yn y diffiniad o “care home” yn lle paragraff (b) rhodder—

- “(b) a building or part of a building in which accommodation is provided for an adult under Part 4 of the Social Services and Well-being (Wales) Act 2014;”.

Deddf Gofalwyr (Cydnabyddiaeth a Gwasanaethau) 1995 (p. 12)

142. Yn adran 1 o Ddeddf Gofalwyr (Cydnabyddiaeth a Gwasanaethau) 1995 (asesu gallu gofalwyr i ddarparu gofal: Cymru a Lloegr)—

- (a) yn is-adran (1)(a)(3)—

- (a) references to a child being placed for adoption under the law of any part of the United Kingdom were references to being placed under section 22C of the Children Act 1989 or section 81 of the Social Services and Well-being (Wales) Act 2014 with a local authority foster parent who has been approved as a prospective adopter;
- (b) references to a placement for adoption were references to placement under section 22C of the Children Act 1989 or section 81 of the Social Services and Well-being (Wales) Act 2014 with such a person.”

139. In section 171ZZ4(1)(1) (Part 12ZC: supplementary) in the definition of “local authority foster parent”, for “section 22C(12)” substitute “section 105(1)”.

Further and Higher Education Act 1992 (c. 13)

140. In section 85D(7) of the Further and Higher Education Act 1992(2) (recording and reporting the use of force by members of staff: England) after “Children Act 1989” insert “or section 76 of the Social Services and Well-being (Wales) Act 2014”.

Local Government Finance Act 1992 (c. 14)

141. In paragraph 7(2) of Schedule 1 to the Local Government Finance Act 1992 (persons disregarded for the purposes of council tax discount), in the definition of “care home” for paragraph (b) substitute—

- “(b) a building or part of a building in which accommodation is provided for an adult under Part 4 of the Social Services and Well-being (Wales) Act 2014;”.

Carers (Recognition and Services) Act 1995 (c. 12)

142. In section 1 of the Carers (Recognition and Services) Act 1995 (assessment of ability of carers to provide care: England and Wales)—

- (a) in subsection (1)(a)(3)—

(1) Mewnosodwyd adran 171ZZ4 gan adran 119(1) o Ddeddf Plant a Theuluoedd 2014 (p. 6).
 (2) Mewnosodwyd adran 85D gan adran 247 o Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009 (p. 22).
 (3) Diwygiwyd adran 1(1)(a) gan baragraff 56(1), (2)(a) a (b) o’r Atodlen i O.S. 2015/914.

(1) Section 171ZZ4 was inserted by the Children and Families Act 2014 (c. 6), section 119(1).
 (2) Section 85D was inserted by the Apprenticeships, Skills, Children and Learning Act 2009 (c. 22), section 247.
 (3) Section 1(1)(a) was amended by S.I. 2015/914, Schedule, paragraph 56(1), (2)(a) and (b).

- (i) ar ôl “local authority”, yn y lle cyntaf y mae’n digwydd, mewnosoder “in England”;
- (ii) yn is-baragraff (i), hepgorer “in the case of a local authority in England,”;
- (iii) hepgorer is-baragraff (ii) a’r gair “or” yn union o flaen hynny;
- (b) yn is-adran (2)(a), ar ôl “local authority” mewnosoder “in England”;
- (c) yn is-adran (3A)(1), hepgorer “In the case of a local authority in England,”;
- (d) hepgorer is-adran (5);
- (e) yn is-adran (6)—
 - (i) hepgorer y diffiniadau o “community care services” a “disabled person”;
 - (ii) yn lle’r diffiniad o “local authority” rhodder—

““local authority” means a county council, a district council for an area in England for which there is no county council, a London borough council or the Common Council of the City of London;”.

Deddf Hawliau Cyflogaeth 1996 (p. 18)

143. Mae Deddf Hawliau Cyflogaeth 1996 wedi ei diwygio fel a ganlyn.

144. Yn adran 57ZS(2) (lleoli plant sy’n derbyn gofal gyda darpar fabwysiadwyr)—

- (a) ar ôl is-adran (2) mewnosoder—
 - “(2A) Subsection (2B) applies where a local authority in Wales notifies a person—
 - (a) who is a local authority foster parent, and
 - (b) who has been approved as prospective adopter,

that a child is to be, or is expected to be, placed with that person under section 81 of the Social Services and Well-being (Wales) Act 2014.

(2B) Where this subsection applies, sections 57ZJ, 57ZL, 57ZN and 57ZP have effect as if—

- (a) references to adoption or placement for adoption were references to placement of a child under section 81 of the Social Services and Well-being (Wales) Act 2014 with a local authority

- (i) after “local authority”, where it first occurs, insert “in England”;
- (ii) in sub-paragraph (i) omit “in the case of a local authority in England,”;
- (iii) omit sub-paragraph (ii) and the word “or” immediately preceding it;
- (b) in subsection (2)(a), after “local authority” insert “in England”;
- (c) in subsection (3A)(1) omit “In the case of a local authority in England,”;
- (d) omit subsection (5);
- (e) in subsection (6)—
 - (i) omit the definitions of “community care services” and “disabled person”;
 - (ii) for the definition of “local authority” substitute—

““local authority” means a county council, a district council for an area in England for which there is no county council, a London borough council or the Common Council of the City of London;”.

Employment Rights Act 1996 (c. 18)

143. The Employment Rights Act 1996 is amended as follows.

144. In section 57ZS(2) (placement of looked after children with prospective adopters)—

- (a) after subsection (2) insert—
 - “(2A) Subsection (2B) applies where a local authority in Wales notifies a person—
 - (a) who is a local authority foster parent, and
 - (b) who has been approved as prospective adopter,

that a child is to be, or is expected to be, placed with that person under section 81 of the Social Services and Well-being (Wales) Act 2014.

(2B) Where this subsection applies, sections 57ZJ, 57ZL, 57ZN and 57ZP have effect as if—

- (a) references to adoption or placement for adoption were references to placement of a child under section 81 of the Social Services and Well-being (Wales) Act 2014 with a local authority

(1) Mewnosodwyd adran 1(3A) gan baragraff 56(1) a (4) o’r Atodlen i O.S. 2015/914.
 (2) Mewnosodwyd adran 57ZS gan adran 128(1) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(1) Section 1(3A) was inserted by S.I. 2015/914, Schedule, paragraph 56(1), (4).
 (2) Section 57ZS was inserted by the Children and Families Act 2014 (c. 6), section 128(1).

foster parent who has been approved as a prospective adopter;

- (b) references to placing for adoption were references to placing a child under section 81 of that Act with a local authority foster parent who has been approved as a prospective adopter;
- (c) references to an adoption agency were references to a local authority in Wales.”;

(b) yn is-adran (3) ar ôl “Children Act 1989” mewnosoder “or section 81 of the Social Services and Well-being (Wales) Act 2014”.

145. Yn adran 75A(1) (absenoldeb mabwysiadu arferol) yn lle is-adran (1A)(c) rhodder—

“(c) being notified—

- (i) by a local authority in England that a child is to be, or is expected to be, placed with the employee under section 22C of the Children Act 1989;
- (ii) by a local authority in Wales that a child is to be, or is expected to be, placed with the employee under section 81 of the Social Services and Well-being (Wales) Act 2014.”

146. Yn adran 75G(2) (hawlogaeth i absenoldeb rhiant a rennir: mabwysiadu)—

(a) yn lle is-adran (7) rhodder—

“(7) Regulations under subsections (1) and (4) are to provide for leave in respect of a child placed, or expected to be placed—

- (a) under section 22C of the Children Act 1989 by a local authority in England, or
- (b) under section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales,

with a local authority foster parent who has been approved as a prospective adopter.”;

(b) yn is-adran (8) ar ôl “Children Act 1989” mewnosoder “, or section 81 of the Social Services and Well-being (Wales) Act 2014”.

foster parent who has been approved as a prospective adopter;

- (b) references to placing for adoption were references to placing a child under section 81 of that Act with a local authority foster parent who has been approved as a prospective adopter;
- (c) references to an adoption agency were references to a local authority in Wales.”;

(b) in subsection (3) after “Children Act 1989” insert “or section 81 of the Social Services and Well-being (Wales) Act 2014”.

145. In section 75A(1) (ordinary adoption leave) for subsection (1A)(c) substitute—

“(c) being notified—

- (i) by a local authority in England that a child is to be, or is expected to be, placed with the employee under section 22C of the Children Act 1989;
- (ii) by a local authority in Wales that a child is to be, or is expected to be, placed with the employee under section 81 of the Social Services and Well-being (Wales) Act 2014.”

146. In section 75G(2) (entitlement to shared parental leave: adoption)—

(a) for subsection (7) substitute—

“(7) Regulations under subsections (1) and (4) are to provide for leave in respect of a child placed, or expected to be placed—

- (a) under section 22C of the Children Act 1989 by a local authority in England, or
- (b) under section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales,

with a local authority foster parent who has been approved as a prospective adopter.”;

(b) in subsection (8) after “Children Act 1989” insert “, or section 81 of the Social Services and Well-being (Wales) Act 2014”.

(1) Mewnosodwyd adran 75A gan adran 3 o Ddeddf Cyflogaeth 2002 (p. 22). Mewnosodwyd is-adran (1A) gan adran 121(1) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(2) Mewnosodwyd adran 75G gan adran 117(1) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(1) Section 75A was inserted by the Employment Act 2002 (c. 22), section 3. Subsection (1A) was inserted by the Children and Families Act 2014 (c. 6), section 121(1).

(2) Section 75G was inserted by the Children and Families Act 2014 (c. 6), section 117(1).

147. Yn adran 80B(1) (hawlogaeth i absenoldeb tadolaeth: mabwysiadu)—

(a) yn lle is-adran (6A) rhodder—

“(6A) Regulations under subsection (1) shall include provision for leave in respect of a child placed, or expected to be placed—

- (a) under section 22C of the Children Act 1989 by a local authority in England, or
- (b) under section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales,

with a local authority foster parent who has been approved as a prospective adopter.”;

- (b) yn is-adran (6B)(a) ar ôl “Children Act 1989” mewnosoder “; or section 81 of the Social Services and Well-being (Wales) Act 2014”;
- (c) yn is-adran (6B)(b) ar ôl “section 22C” mewnosoder “of the Children Act 1989, or section 81 of the Social Services and Well-being (Wales) Act 2014”.

148. Yn adran 235(1)(2) (diffiniadau eraill) yn y diffiniad o “local authority foster parent”, yn lle “section 22C(12)” rhodder “section 105(1)”.

Deddf Tai 1996 (p. 52)

149. Mae Deddf Tai 1996 wedi ei diwygio fel a ganlyn.

150. Yn adran 213A o Ddeddf Tai 1996(3) (cydweithredu mewn achosion penodol sy’n ymwneud â phlant)—

- (a) yn is-adran (5)(b) ar ôl “Part 3 of the Children Act 1989” mewnosoder “or Part 6 of the Social Services and Well-being (Wales) Act 2014”;
- (b) yn is-adran (7), yn y diffiniad o “the social services department”, ar ôl “Part 3 of the Children Act 1989” mewnosoder “or Part 6 of the Social Services and Well-being (Wales) Act 2014”.

151. Yn adran 217 o Ddeddf Tai 1996 (mân ddiffiniadau: Rhan 7), yn y diffiniad o “social services authority”—

147. In section 80B(1) (entitlement to paternity leave: adoption)—

(a) for subsection (6A) substitute—

“(6A) Regulations under subsection (1) shall include provision for leave in respect of a child placed, or expected to be placed—

- (a) under section 22C of the Children Act 1989 by a local authority in England, or
- (b) under section 81 of the Social Services and Well-being (Wales) Act 2014 by a local authority in Wales,

with a local authority foster parent who has been approved as a prospective adopter.”;

- (b) in subsection (6B)(a) after “Children Act 1989” insert “; or section 81 of the Social Services and Well-being (Wales) Act 2014”;
- (c) in subsection (6B)(b) after “section 22C” insert “of the Children Act 1989, or section 81 of the Social Services and Well-being (Wales) Act 2014”.

148. In section 235(1)(2) (other definitions) in the definition of “local authority foster parent”, for “section 22C(12)” substitute “section 105(1)”.

Housing Act 1996 (c. 52)

149. The Housing Act 1996 is amended as follows.

150. In section 213A of the Housing Act 1996(3) (co-operation in certain cases involving children)—

- (a) in subsection (5)(b) after “Part 3 of the Children Act 1989” insert “or Part 6 of the Social Services and Well-being (Wales) Act 2014”;
- (b) in subsection (7), in the definition of “the social services department”, after “Part 3 of the Children Act 1989” insert “or Part 6 of the Social Services and Well-being (Wales) Act 2014”.

151. In section 217 of the Housing Act 1996 (minor definitions: Part 7), in the definition of “social services authority”—

(1) Mewnosodwyd adran 80B gan adran 1 o Ddeddf Cyflogaeth 2002 (p. 22). Mewnosodwyd is-adrannau (6A) a (6B) gan adran 121(2)(b) o Ddeddf Plant a Theuluoedd (p. 6).

(2) Mewnosodwyd y diffiniad o “local authority foster parent” yn adran 235(1) gan adran 128(2)(e) o Ddeddf Plant a Theuluoedd 2014 (p. 6).

(3) Mewnosodwyd adran 213A gan adran 12 o Ddeddf Digartrefedd 2002 (p. 7).

(1) Section 80B was inserted by the Employment Act 2002 (c. 22), section 1. Subsections (6A) and (6B) were inserted by the Children and Families Act 2014 (c. 6), section 121(2)(b).

(2) The definition of “local authority foster parent” in section 235(1) was inserted by the Children and Families Act 2014 (c. 6), section 128(2)(e).

(3) Section 213A was inserted by the Homelessness Act 2002 (c. 7), section 12.

- (a) ar ôl “means” mewnosoder “—
 - (a) in relation to England”;
- (b) ar y diwedd mewnosoder—
 - “(b) in relation to Wales, a local authority exercising social services functions for the purposes of the Social Services and Well-being (Wales) Act 2014.”

Deddf Grantiau Tai, Adeiladu ac Adfywio 1996 (p. 53)

152. Mae adran 100 o Ddeddf Grantiau Tai, Adeiladu ac Adfywio 1996 (personau anabl) wedi ei diwygio fel a ganlyn—

- (a) yn is-adran (2), yn lle paragraffau (a) a (b) rhodder—
 - “(a) the person is registered in a register maintained under section 18(5) of the Social Services and Well-being (Wales) Act 2014 (register of disabled adults and adults with an impairment or who have needs for care and support), or
 - (b) in the opinion of the social services authority, the person falls within a category mentioned in section 18(6) of that Act.”;
- (b) ar ôl is-adran (3)(b) mewnosoder—
 - “(c) the person is registered as disabled in a register maintained under section 18(4) of the Social Services and Well-being (Wales) Act 2014, or
 - (d) the person is, in the opinion of the social services authority, disabled as defined for the purposes of section 3 of the Social Services and Well-being (Wales) Act 2014.”;
- (c) yn lle is-adran (4) rhodder y canlynol—
 - “(4) In this Part “social services authority” means—
 - (a) in England, the council which is the local authority for the purposes of the Local Authority Social Services Act 1970, and
 - (b) in Wales, the council which is the local authority for the purposes of the Social Services and Well-being (Wales) Act 2014,

for the area in which the dwelling or building is situated.”;

- (a) after “means” insert “—
 - (a) in relation to England”;
- (b) at the end insert—
 - “(b) in relation to Wales, a local authority exercising social services functions for the purposes of the Social Services and Well-being (Wales) Act 2014.”

Housing Grants, Construction and Regeneration Act 1996 (c. 53)

152. Section 100 of the Housing Grants, Construction and Regeneration Act 1996 (disabled persons) is amended as follows—

- (a) in subsection (2), for paragraphs (a) and (b) substitute—
 - “(a) the person is registered in a register maintained under section 18(5) of the Social Services and Well-being (Wales) Act 2014 (register of disabled adults and adults with an impairment or who have needs for care and support), or
 - (b) in the opinion of the social services authority, the person falls within a category mentioned in section 18(6) of that Act.”;
- (b) after subsection (3)(b) insert—
 - “(c) the person is registered as disabled in a register maintained under section 18(4) of the Social Services and Well-being (Wales) Act 2014, or
 - (d) the person is, in the opinion of the social services authority, disabled as defined for the purposes of section 3 of the Social Services and Well-being (Wales) Act 2014.”;
- (c) for subsection (4) substitute the following—
 - “(4) In this Part “social services authority” means—
 - (a) in England, the council which is the local authority for the purposes of the Local Authority Social Services Act 1970, and
 - (b) in Wales, the council which is the local authority for the purposes of the Social Services and Well-being (Wales) Act 2014,

for the area in which the dwelling or building is situated.”;

- (d) yn is-adran (5)(1)—
- (i) hepgorer “section 29(1) of the National Assistance Act 1948 or”;
 - (ii) ar ôl “section 17(11) of the Children Act 1989” mewnosoder “or section 3 of the Social Services and Well-being (Wales) Act 2014”.

Deddf Addysg 1996 (p. 56)

153. Mae Deddf Addysg 1996 wedi ei diwygio fel a ganlyn.

154. Yn adran 463(1)(b)(2) (ystyr “independent school”) ar ôl “Children Act 1989” mewnosoder “or section 74 of the Social Services and Well-being (Wales) Act 2014”.

155. Yn adran 515(4)(3) (darparu gwasanaethau addysgu ar gyfer meithrinfeydd dydd), yn y diffiniad o “day nursery” ar ôl “and other children” mewnosoder “or sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (meeting care and support needs of children)”.

156. Yn adran 535(4)(4) (darparu gwasanaethau addysgu ar gyfer meithrinfeydd dydd), yn y diffiniad o “day nursery” ar ôl “and other children” mewnosoder “or sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (meeting care and support needs of children)”.

157. Yn adran 562(3)(5) (Deddf i beidio â bod yn gymwys i bersonau a gedwir yn gaeth o dan orchymyn llys) ar ôl “Children Act 1989” mewnosoder “or section 119(4) of the Social Services and Well-being (Wales) Act 2014 (use of accommodation for restricting liberty)”.

158. Yn adran 562J(1) (dehongli’r bennod) yn y diffiniad o “looked after child”, ar ôl “Children Act 1989” mewnosoder “or the Social Services and Well-being (Wales) Act 2014”.

Deddf Safonau a Fframwaith Ysgolion 1998 (p. 31)

159. Yn lle adran 84(7) o Ddeddf Safonau a Fframwaith Ysgolion 1998(6) (cod ar gyfer derbyniadau ysgol) rhodder—

-
- (1) Diwygiwyd adran 100(5) gan baragraff 57(1) a (3)(b) o’r Atodlen i O.S. 2015/914.
 - (2) Amnewidiwyd adran 463 gan adran 172 o Ddeddf Addysg 2002 (p. 32).
 - (3) Amnewidiwyd adran 515(4) gan baragraff 25(1) a (4) o Atodlen 2 i Ddeddf Gofal Plant 2006 (p. 21).
 - (4) Amnewidiwyd adran 535(4) gan baragraff 26(1) a (4) o Atodlen 2 i Ddeddf Gofal Plant 2006.
 - (5) Mewnosodwyd adran 562(3) gan adran 49(1) a (5) o Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009.
 - (6) Mewnosodwyd adran 84(7) gan adran 50(2) o Ddeddf Addysg ac Arolygiadau 2006 (p. 40).

- (d) in subsection (5)(1)—
- (i) omit “section 29(1) of the National Assistance Act 1948 or”;
 - (ii) after “section 17(11) of the Children Act 1989” insert “or section 3 of the Social Services and Well-being (Wales) Act 2014”.

Education Act 1996 (c. 56)

153. The Education Act 1996 is amended as follows.

154. In section 463(1)(b)(2) (meaning of “independent school”) after “Children Act 1989” insert “or section 74 of the Social Services and Well-being (Wales) Act 2014”.

155. In section 515(4)(3) (provision of teaching services for day nurseries), in the definition of “day nursery” after “and other children” insert “or sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (meeting care and support needs of children)”.

156. In section 535(4)(4) (provision of teaching services for day nurseries), in the definition of “day nursery” after “and other children” insert “or sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (meeting care and support needs of children)”.

157. In section 562(3)(5) (Act not to apply to persons detained under order of a court) after “Children Act 1989” insert “or section 119(4) of the Social Services and Well-being (Wales) Act 2014 (use of accommodation for restricting liberty)”.

158. In section 562J(1) (interpretation of chapter) in the definition of “looked after child”, after “Children Act 1989” insert “or the Social Services and Well-being (Wales) Act 2014”.

School Standards and Framework Act 1998 (c. 31)

159. For section 84(7) of the School Standards and Framework Act 1998(6) (code for school admissions) substitute—

-
- (1) Section 100(5) was amended by S.I. 2015/914, Schedule, paragraph 57(1), (3)(b).
 - (2) Section 463 was substituted by the Education Act 2002 (c. 32), section 172.
 - (3) Section 515(4) was substituted by the Childcare Act 2006 (c. 21), Schedule 2, paragraph 25(1), (4).
 - (4) Section 535(4) was substituted by the Childcare Act 2006, Schedule 2, paragraph 26(1), (4).
 - (5) Section 562(3) was inserted by the Apprenticeships, Skills, Children and Learning Act 2009, section 49(1), (5).
 - (6) Section 84(7) was inserted by the Education and Inspections Act 2006 (c. 40), section 50(2).

“(7) In this Chapter, references to a child who is looked after by a local authority are to be read—

- (a) in relation to a local authority in England, in accordance with section 22 of the Children Act 1989;
- (b) in relation to a local authority in Wales, in accordance with section 74 of the Social Services and Well-being (Wales) Act 2014.”

Deddf Trosedd ac Anhrefn 1998 (p. 37)

160. Mae Deddf Trosedd ac Anhrefn 1998 wedi ei diwygio fel a ganlyn.

161. Yn adran 40(3) (cynlluniau cyfiawnder ieuencid) yn lle is-adran (3) rhodder—

“(3) The functions assigned to a youth offending team under subsection (1)(b) above may include, in particular—

- (a) functions under paragraph 7(b) of Schedule 2 to the 1989 Act (local authority’s duty to take reasonable steps designed to encourage children and young persons not to commit offences);
- (b) functions relating to a local authority’s duty under section 15(2)(g) of the Social Services and Well-being (Wales) Act 2014 to provide or arrange for the provision of services for the purposes of encouraging children not to commit criminal offences.”

162. Yn Atodlen 8 hepgorer paragraff 69.

Deddf Cyfiawnder Ieuencid a Thystiolaeth Droseddol 1999 (p. 23)

163. Yn adran 50(10) o Ddeddf Cyfiawnder Ieuencid a Thystiolaeth Droseddol 1999 (amddiffyniadau) ar ôl “Children Act 1989” mewnosoder “or the Social Services and Well-being (Wales) Act 2014”.

Deddf Mewnfudo a Lloches 1999 (p. 33)

164.—(1) Yn adran 122(4) o Ddeddf Mewnfudo a Lloches 1999(1) (ystyr “assistance”)—

- (a) ar ddiwedd paragraff (b) hepgorer “or”;
- (b) ar ddiwedd paragraff (c) hepgorer yr atalnod llawn a mewnosoder “or”;

(1) Amnewidiwyd adran 122 gan adran 47 o Ddeddf Cenedligrwydd, Mewnfudo a Lloches 2002 (p. 41).

“(7) In this Chapter, references to a child who is looked after by a local authority are to be read—

- (a) in relation to a local authority in England, in accordance with section 22 of the Children Act 1989;
- (b) in relation to a local authority in Wales, in accordance with section 74 of the Social Services and Well-being (Wales) Act 2014.”

Crime and Disorder Act 1998 (c. 37)

160. The Crime and Disorder Act 1998 is amended as follows.

161. In section 40(3) (youth justice plans) for subsection (3) substitute—

“(3) The functions assigned to a youth offending team under subsection (1)(b) above may include, in particular—

- (a) functions under paragraph 7(b) of Schedule 2 to the 1989 Act (local authority’s duty to take reasonable steps designed to encourage children and young persons not to commit offences);
- (b) functions relating to a local authority’s duty under section 15(2)(g) of the Social Services and Well-being (Wales) Act 2014 to provide or arrange for the provision of services for the purposes of encouraging children not to commit criminal offences.”

162. In Schedule 8 omit paragraph 69.

Youth Justice and Criminal Evidence Act 1999 (c. 23)

163. In section 50(10) of the Youth Justice and Criminal Evidence Act 1999 (defences) after “Children Act 1989” insert “or the Social Services and Well-being (Wales) Act 2014”.

Immigration and Asylum Act 1999 (c. 33)

164.—(1) In section 122(4) of the Immigration and Asylum Act 1999(1) (meaning of “assistance”)—

- (a) at the end of paragraph (b) omit “or”;
- (b) at the end of paragraph (c) omit the full stop and insert “or”;

(1) Section 122 was substituted by the Nationality, Immigration and Asylum Act 2002 (c. 41), section 47.

(c) ar ôl paragraff (c) mewnosoder—

“(d) sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (similar provision for Wales).”

(2) Ond hyd nes y bydd adran 47 o Ddeddf Cenedligrwydd, Mewnfudo a Lloches 2002 wedi ei chychwyn, mae paragraff (1) i gael effaith fel pe bai'n darllen—

“(1) In section 122(7) (meaning of child welfare provisions)—

- (a) at the end of paragraph (b) omit “and”;
- (b) at the end of paragraph (c) omit the full stop and insert “; and”;
- (c) after paragraph (c) insert—

“(d) sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (equivalent provision for Wales).”

Deddf Pwerau Llysoedd Troseddol (Dedfrydu) 2000
(p. 6)

165. Mae Deddf Pwerau Llysoedd Troseddol (Dedfrydu) 2000 wedi ei diwygio fel a ganlyn.

166. Yn adran 20(6) o Ddeddf Pwerau Llysoedd Troseddol (Dedfrydu) 2000 (gwneud gorchmynion atgyfeirio: presenoldeb rhieni) ar ôl “Children Act 1989” mewnosoder “or the Social Services and Well-being (Wales) Act 2014”.

167. Yn adran 137 (pŵer i orchymyn i riant neu warcheidwad dalu dirwy, costau, digollediad neu ordal)—

(a) yn is-adran (8), yn lle paragraff (b)(1) rhodder—

“(b) is provided with accommodation by them in the exercise of social services functions,”;

(b) ar ôl is-adran (8) mewnosoder—

“(8A) In subsection (8) social services functions are—

- (a) any functions (in particular those under the Children Act 1989) which are social services functions within the meaning of the Local Authority Social Services Act 1970, or
- (b) any functions (in particular those under Part 6 of the Social Services and Well-being (Wales) Act 2014) which are

(c) after paragraph (c) insert—

“(d) sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (similar provision for Wales).”

(2) But until the commencement of section 47 of the Nationality, Immigration and Asylum Act 2002, paragraph (1) is to have effect as if it read—

“(1) In section 122(7) (meaning of child welfare provisions)—

- (a) at the end of paragraph (b) omit “and”;
- (b) at the end of paragraph (c) omit the full stop and insert “; and”;
- (c) after paragraph (c) insert—

“(d) sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (equivalent provision for Wales).”

Powers of Criminal Courts (Sentencing) Act 2000 (c. 6)

165. The Powers of Criminal Courts (Sentencing) Act 2000 is amended as follows.

166. In section 20(6) of the Powers of Criminal Courts (Sentencing) Act 2000 (making of referral orders: attendance of parents) after “Children Act 1989” insert “or the Social Services and Well-being (Wales) Act 2014”.

167. In section 137 (power to order parent or guardian to pay fine, costs, compensation or surcharge)—

(a) in subsection (8), for paragraph (b)(1) substitute—

“(b) is provided with accommodation by them in the exercise of social services functions,”;

(b) after subsection (8) insert—

“(8A) In subsection (8) social services functions are—

- (a) any functions (in particular those under the Children Act 1989) which are social services functions within the meaning of the Local Authority Social Services Act 1970, or
- (b) any functions (in particular those under Part 6 of the Social Services and Well-being (Wales) Act 2014) which are

(1) Diwygiwyd adran 137(8)(b) o ran Cymru gan O.S. 2002/808, ac o ran Lloegr gan O.S. 2001/2237.

(1) Section 137(8)(b) was amended in relation to England by S.I. 2001/2237, and in relation to Wales by S.I. 2002/808.

social services functions for the purposes of that Act.”

168. Ym mharagraff 9ZA o Atodlen 1(1) (pŵer i ohirio gwrandawriad a remandio troseddwr), yn is-baragraff (7) yn y diffiniad o “social services functions”—

- (a) ar ôl “as it has” mewnosoder “—
 - (a) in relation to a local authority in England,”;
- (b) ar y diwedd mewnosoder—
 - “(b) in relation to a local authority in Wales, in section 143 of the Social Services and Well-being (Wales) Act 2014”.

169. Ym mharagraff 6A o Atodlen 8(2) (pŵer i ohirio gwrandawriad a remandio troseddwr), yn is-baragraff (7) yn y diffiniad o “social services functions”—

- (a) ar ôl “as it has” mewnosoder “—
 - (a) in relation to a local authority in England,”;
- (b) ar y diwedd mewnosoder—
 - “(b) in relation to a local authority in Wales, in section 143 of the Social Services and Well-being (Wales) Act 2014”.

Deddf Safonau Gofal 2000 (p. 14)

170. Mae Deddf Safonau Gofal 2000 wedi ei diwygio fel a ganlyn.

171. Yn adran 22 (rheoleiddio sefydliadau ac asiantaethau)—

- (a) yn lle is-adran (2)(e)(3) rhodder—
 - “(e) make provision for securing the welfare of children placed, under section 22C of the 1989 Act or section 81 of the Social Services and Well-being (Wales) Act 2014, by a fostering agency,”;
- (b) yn is-adran (8)(b) ar ôl “1989 Act” mewnosoder “and section 119 of the Social Services and Well-being (Wales) Act 2014 (use of accommodation for restricting liberty)”.

social services functions for the purposes of that Act.”

168. In paragraph 9ZA of Schedule 1(1) (power to adjourn hearing and remand offender), in subparagraph (7) in the definition of “social services functions”—

- (a) after “as it has” insert “—
 - (a) in relation to a local authority in England,”;
- (b) at the end insert—
 - “(b) in relation to a local authority in Wales, in section 143 of the Social Services and Well-being (Wales) Act 2014”.

169. In paragraph 6A of Schedule 8(2) (power to adjourn hearing and remand offender), in subparagraph (7) in the definition of “social services functions”—

- (a) after “as it has” insert “—
 - (a) in relation to a local authority in England,”;
- (b) at the end insert—
 - “(b) in relation to a local authority in Wales, in section 143 of the Social Services and Well-being (Wales) Act 2014”.

Care Standards Act 2000 (c. 14)

170. The Care Standards Act 2000 is amended as follows.

171. In section 22 (regulation of establishments and agencies)—

- (a) for subsection (2)(e)(3) substitute—
 - “(e) make provision for securing the welfare of children placed, under section 22C of the 1989 Act or section 81 of the Social Services and Well-being (Wales) Act 2014, by a fostering agency,”;
- (b) in subsection (8)(b) after “1989 Act” insert “and section 119 of the Social Services and Well-being (Wales) Act 2014 (use of accommodation for restricting liberty)”.

(1) Mewnosodwyd paragraff 9ZA gan baragraffau 106 a 107 o Atodlen 4 i Ddeddf Cyfiawnder Troseddol a Mewnffudo 2008 (p. 4).
(2) Mewnosodwyd paragraff 6A gan baragraffau 106 a 108(1) a (6) o Atodlen 4 i Ddeddf Cyfiawnder Troseddol a Mewnffudo 2008.
(3) Diwygiwyd adran 22(2)(e) gan baragraff 11 o Atodlen 1 i Ddeddf Plant a Phobl Ifanc 2008 (p. 23).

(1) Paragraph 9ZA was inserted by the Criminal Justice and Immigration Act 2008 (c. 4), Schedule 4, paragraphs 106, 107.
(2) Paragraph 6A was inserted by the Criminal Justice and Immigration Act 2008, Schedule 4, paragraphs 106, 108(1), (6).
(3) Section 22(2)(e) was amended by the Children and Young Persons Act 2008 (c. 23), Schedule 1, paragraph 11.

172. Yn adran 31 (arolygiadau gan bersonau sydd wedi eu hawdurdodi gan yr awdurdod cofrestru) yn lle is-adran (3)(b) rhodder—

“(b) inspect and take copies of any documents or records (including medical and other personal records) required to be kept in accordance with regulations under this Part, section 9 of the Adoption and Children Act 2002, section 22C or 59(2) of the 1989 Act, section 1(3) of the Adoption (Intercountry Aspects) Act 1999 or section 81 of the Social Services and Well-being (Wales) Act 2014;”.

173. Yn lle adran 43(3)(b)(1) (gwasanaethau awdurdodau lleol: ystyr “relevant fostering functions”) rhodder—

“(b) “relevant fostering functions” means functions under—

- (i) section 22C of the 1989 Act in connection with placements with local authority foster parents or regulations under paragraph 12E(a), (b), (d) or (e) or 12F of Schedule 2 to that Act,
- (ii) section 81 of the Social Services and Well-being (Wales) Act 2014 in connection with placements with local authority foster parents or regulations under section 92(1)(a), (b), (d) or (e) or section 93 of that Act.”

174. Yn lle adran 78(1B)(2) (dehongli) rhodder—

“(1B) A person falls within this subsection if the person is a category 3, 4, 5 or 6 young person, within the meaning of section 104 of the Social Services and Well-being (Wales) Act 2014, in respect of whom services are provided in Wales by, or on behalf of, or under arrangements with, a county council or county borough council in Wales.”

175. Yn adran 121 (dehongli cyffredinol)—

(a) yn is-adran (1)—

- (i) yn y diffiniad o “local authority foster parent” ar ôl “has the same meaning as in” mewnosoder “section 105(1) of”;

172. In section 31 (inspections by persons authorised by registration authority) for subsection (3)(b) substitute—

“(b) inspect and take copies of any documents or records (including medical and other personal records) required to be kept in accordance with regulations under this Part, section 9 of the Adoption and Children Act 2002, section 22C or 59(2) of the 1989 Act, section 1(3) of the Adoption (Intercountry Aspects) Act 1999 or section 81 of the Social Services and Well-being (Wales) Act 2014;”.

173. For section 43(3)(b)(1) (local authority services: meaning of “relevant fostering functions”) substitute—

“(b) “relevant fostering functions” means functions under—

- (i) section 22C of the 1989 Act in connection with placements with local authority foster parents or regulations under paragraph 12E(a), (b), (d) or (e) or 12F of Schedule 2 to that Act,
- (ii) section 81 of the Social Services and Well-being (Wales) Act 2014 in connection with placements with local authority foster parents or regulations under section 92(1)(a), (b), (d) or (e) or section 93 of that Act.”

174. For section 78(1B)(2) (interpretation) substitute—

“(1B) A person falls within this subsection if the person is a category 3, 4, 5 or 6 young person, within the meaning of section 104 of the Social Services and Well-being (Wales) Act 2014, in respect of whom services are provided in Wales by, or on behalf of, or under arrangements with, a county council or county borough council in Wales.”

175. In section 121 (general interpretation)—

(a) in subsection (1)—

- (i) in the definition of “local authority foster parent” after “has the same meaning as in” insert “section 105(1) of”;

(1) Amnewidiwyd adran 43(3)(b) gan baragraff 13 o Atodlen 1 i Ddeddf Plant a Phobl Ifanc 2008.

(2) Rhoddwyd adran 78(1), (1A) ac (1B) yn lle adran 78(1), fel y'i deddfwyd yn wreiddiol, gan adran 1(1) a (2) o Ddeddf Comisiynydd Plant Cymru 2001 (p. 18).

(1) Section 43(3)(b) was substituted by the Children and Young Persons Act 2008, Schedule 1, paragraph 13.

(2) Section 78(1), (1A), (1B) were substituted for section 78(1), as originally enacted, by the Children's Commissioner for Wales Act 2001 (c. 18), section 1(1), (2).

(ii) yn y diffiniad o “social services functions” ar ôl “1970” mewnosoder “or the Social Services and Well-being (Wales) Act 2014”;

(b) yn lle is-adran (10) rhodder—

“(10) References in this Act to a child being looked after by a local authority shall be construed—

(a) in relation to a local authority in England, in accordance with section 22 of the 1989 Act,

(b) in relation to a local authority in Wales, in accordance with section 74 of the Social Services and Well-being (Wales) Act 2014.”

176. Yn Atodlen 4 (mân ddiwygiadau a diwygiadau canlyniadol)—

(a) hepgorer paragraff 14(23)(a)(i)(1);

(b) hepgorer paragraff 14(23)(a)(iii)(2).

Deddf Gofalwyr a Phlant Anabl 2000 (p. 16)

177.—(1) Mae Deddf Gofalwyr a Phlant Anabl 2000 wedi ei diddymu.

(2) Nid yw diddymu'r Ddeddf honno yn effeithio ar ddilysrwydd unrhyw beth a wneir cyn i'r Rheoliadau hyn ddod i rym o dan adran 17B o Ddeddf Plant 1989, neu o dan reoliadau a wneir o dan yr adran honno, fel y mae'n gymwys yn rhinwedd adran 7(2) o Ddeddf Gofalwyr a Phlant Anabl 2000 (mae'r cyfeiriad at yr Ysgrifennydd Gwladol yn adran 17B i gael ei drin fel cyfeiriad at Gynulliad Cenedlaethol Cymru i'r graddau y mae'r adran yn gymwys o ran Cymru).

Ddeddf Plant (Ymadael â Gofal) 2000 (p. 35)

178. Ar ôl adran 6(2)(b) o Ddeddf Plant (Ymadael â Gofal) 2000 (eithrio o fudd-daliadau) mewnosoder—

“(ba) a category 1 young person within the meaning of section 104 of the Social Services and Well-being (Wales) Act 2014;

(bb) a category 2 young person within the meaning of section 104 of the Social

(ii) in the definition of “social services functions” after “1970” insert “or the Social Services and Well-being (Wales) Act 2014”;

(b) for subsection (10) substitute—

“(10) References in this Act to a child being looked after by a local authority shall be construed—

(a) in relation to a local authority in England, in accordance with section 22 of the 1989 Act,

(b) in relation to a local authority in Wales, in accordance with section 74 of the Social Services and Well-being (Wales) Act 2014.”

176. In Schedule 4 (minor and consequential amendments)—

(a) omit paragraph 14(23)(a)(i)(1);

(b) omit paragraph 14(23)(a)(iii)(2).

Carers and Disabled Children Act 2000 (c. 16)

177.—(1) The Carers and Disabled Children Act 2000 is repealed.

(2) The repeal of that Act does not affect the validity of anything done before these Regulations come into force under section 17B of the Children Act 1989, or under regulations made under that section, as it applies by virtue of section 7(2) of the Carers and Disabled Children Act 2000 (reference to Secretary of State in section 17B to be treated as reference to the National Assembly for Wales in so far as the section applies in relation to Wales).

Children (Leaving Care) Act 2000 (c. 35)

178. After section 6(2)(b) of the Children (Leaving Care) Act 2000 (exclusion from benefits) insert—

“(ba) a category 1 young person within the meaning of section 104 of the Social Services and Well-being (Wales) Act 2014;

(bb) a category 2 young person within the meaning of section 104 of the Social

(1) Mewnosododd paragraff 14(23)(a)(i) y diffiniad o “appropriate children’s home” yn adran 105(1) o Ddeddf Plant 1989. Diddymwyd y diffiniad hwn gan baragraff 3(1) a (2) o Atodlen 1 i Ddeddf Plant a Phobl Ifanc 2008.

(2) Rhoddwyd paragraff 14(23)(a)(iii) yn lle'r diffiniad o “children’s home” yn adran 105(1) o Ddeddf Plant 1989. Amnewidiwyd y diffiniad hwn ymhellach gan baragraff 3(1) a (3) o Atodlen 1 i Ddeddf Plant a Phobl Ifanc 2008.

(1) Paragraph 14(23)(a)(i) inserted the definition of “appropriate children’s home” into section 105(1) of the Children Act 1989. This definition was repealed by the Children and Young Persons Act 2008, Schedule 1, paragraph 3(1), (2).

(2) Paragraph 14(23)(a)(iii) substituted the definition of “children’s home” in section 105(1) of the Children Act 1989. This definition was further substituted by the Children and Young Persons Act 2008, Schedule 1, paragraph 3(1), (3).

Deddf Iechyd a Gofal Cymdeithasol 2001 (p. 15)

179. Mae Rhan 4 o Ddeddf Iechyd a Gofal Cymdeithasol 2001 (gofal cymdeithasol) wedi ei diwygio fel a ganlyn.

180. Hepgorer adran 49 (eithrio gofal nyrsio o wasanaethau gofal yn y gymuned).

181. Hepgorer adran 50 (hawliau a gadwyd: trosglwyddo cyfrifoldebau o ran llety i awdurdodau lleol).

182. Hepgorer adran 54 (preswlydd yn cyllido llety drutach).

183. Yn adran 55 (pŵer i awdurdodau lleol i gymryd pridiannau ar dir yn lle cyfraniadau)—

(a) ar ôl is-adran (2A)(1) mewnosoder—

“(2B) A local authority in Wales may not enter into, or be required by directions under subsection (2) to enter into, a deferred payment agreement on or after the day on which section 2 of the Social Services and Well-being (Wales) Act 2014 came into force.”;

(b) yn lle is-adran (7)(2) rhodder—

“(7) Any reference in this section to relevant contributions is a reference to—

(a) so much of the payments which the resident is liable to pay to an authority for Part 3 accommodation (including any payments which are additional payments for the purpose of section 54) as may be specified in, or determined in accordance with, regulations made for the purposes of this subsection; and

(b) any sum due to an authority by the resident under Part 1 of the Care Act 2014 or Part 5 of the Social Services and Well-being (Wales) Act 2014 in respect of meeting needs for care and support by the provision of accommodation for the resident, including anything provided in connection with that accommodation.”

184. Hepgorer adran 56 (lleoliadau trawsffiniol).

185. Yn adran 57(3) (taliadau uniongyrchol)—

Health and Social Care Act 2001 (c. 15)

179. Part 4 of the Health and Social Care Act 2001 (social care) is amended as follows.

180. Omit section 49 (exclusion of nursing care from community care services).

181. Omit section 50 (preserved rights: transfer to local authorities of responsibilities as to accommodation).

182. Omit section 54 (funding by resident of more expensive accommodation).

183. In section 55 (power for local authorities to take charges on land instead of contributions)—

(a) after subsection (2A)(1) insert—

“(2B) A local authority in Wales may not enter into, or be required by directions under subsection (2) to enter into, a deferred payment agreement on or after the day on which section 2 of the Social Services and Well-being (Wales) Act 2014 came into force.”

(b) for subsection (7)(2) substitute—

“(7) Any reference in this section to relevant contributions is a reference to—

(a) so much of the payments which the resident is liable to pay to an authority for Part 3 accommodation (including any payments which are additional payments for the purpose of section 54) as may be specified in, or determined in accordance with, regulations made for the purposes of this subsection; and

(b) any sum due to an authority by the resident under Part 1 of the Care Act 2014 or Part 5 of the Social Services and Well-being (Wales) Act 2014 in respect of meeting needs for care and support by the provision of accommodation for the resident, including anything provided in connection with that accommodation.”

184. Omit section 56 (cross border placements).

185. In section 57(3)(direct payments)—

(1) Mewnosodwyd adran 55(2A) gan baragraffau 62 a 64(1) a (2) o'r Atodlen i O.S. 2015/914.
(2) Amnewidiwyd adran 55(7) gan baragraffau 62 a 64(1) a (3) o'r Atodlen i O.S. 2015/914.
(3) Diwygiwyd adran 57 gan yr Atodlen i O.S. 2015/914. Diwygiwyd adran 57(1) gan baragraffau 62 a 65(1), (2)(a) a (b);

(1) Section 55(2A) was inserted by S.I. 2015/914, Schedule, paragraphs 62, 64(1), (2).
(2) Section 55(7) was substituted by S.I. 2015/914, Schedule, paragraphs 62, 64(1), (3).
(3) Section 57 was amended by the Schedule to S.I. 2015/914. Section 57(1) was amended by paragraphs 62, 65(1), (2)(a) and (b);

- (a) yn is-adran (1)—
 - (i) yn lle “subsection (2) or (2A)” rhodder “subsection (2A)”;
 - (ii) hepgorer “(2) or (as the case may be)”;
- (b) hepgorer is-adran (2);
- (c) yn is-adran (2A), hepgorer “in England”;
- (d) yn is-adran (2B), yn lle “subsection (2) or (2A)” rhodder “subsection (2A)”;
- (e) yn is-adran (3) ym mhob un o baragraffau (a) ac (g), yn lle “subsection (2) or (2A)” rhodder “subsection (2A)”;
- (f) hepgorer is-adran (7B).

186. Yn adran 59(1)(1) (diffiniadau)—

- (a) yn y diffiniad o “community care services” hepgorer paragraff (a);
- (b) yn y diffiniad o “local authority”—
 - (i) hepgorer paragraff (za);
 - (ii) ym mharagraff (a) yn lle “in relation to Wales, or, in sections 55 and 57, England or Wales, has the meaning given by section 46(3) of the 1990 Act” rhodder “does not, except in sections 55 and 57, include a local authority in England and, for the purposes of those sections in their application to local authorities in England, means a county council in England, a district council for an area in England which has no county council, a London borough council or the Common Council of the City of London”;
 - (iii) ar ôl paragraff (a) mewnosoder—
 - “(aa) does not, except in section 55, include a local authority in Wales and, for the purpose of that section in its application to local authorities in Wales, means the council of a county or county borough in Wales;”.

Deddf Digartrefedd 2002 (p. 7)

187. Yn adran 4 o Ddeddf Digartrefedd 2002 (dehongli ar gyfer adrannau 1 i 3), yn y diffiniad o “social services authority”, ar ôl “1970 (c. 42)” mewnosoder “or Part 8 of the Social Services and Well-being (Wales) Act 2014”.

- (a) in subsection (1)—
 - (i) for “subsection (2) or (2A)” substitute “subsection (2A)”;
 - (ii) omit “(2) or (as the case may be)”;
- (b) omit subsection (2);
- (c) in subsection (2A), omit “in England”;
- (d) in subsection (2B), for “subsection (2) or (2A)” substitute “subsection (2A)”;
- (e) in subsection (3) in each of paragraphs (a) and (g), for “subsection (2) or (2A)” substitute “subsection (2A)”;
- (f) omit subsection (7B).

186. In section 59(1)(1) (definitions)—

- (a) in the definition of “community care services” omit paragraph (a).
- (b) in the definition of “local authority”—
 - (i) omit paragraph (za);
 - (ii) in paragraph (a) for “in relation to Wales, or, in sections 55 and 57, England or Wales, has the meaning given by section 46(3) of the 1990 Act” substitute “does not, except in sections 55 and 57, include a local authority in England and, for the purposes of those sections in their application to local authorities in England, means a county council in England, a district council for an area in England which has no county council, a London borough council or the Common Council of the City of London”;
 - (iii) after paragraph (a) insert—
 - “(aa) does not, except in section 55, include a local authority in Wales and, for the purpose of that section in its application to local authorities in Wales, means the council of a county or county borough in Wales;”.

Homelessness Act 2002 (c. 7)

187. In section 4 of the Homelessness Act 2002 (interpretation for sections 1 to 3), in the definition of “social services authority”, after “1970 (c. 42)” insert “or Part 8 of the Social Services and Well-being (Wales) Act 2014”.

mewnosodwyd is-adrannau (2A) a (2B) gan baragraffau 62 a 65(1) a (4); diwygiwyd is-adran (3) gan baragraffau 62 a 65(1) a (6).

(1) Yn adran 59(1), diwygiwyd y diffiniadau o “community care services” a “local authority” gan baragraffau 62 a 66(1), (2) a (3)(a) a (b) o’r Atodlen i O.S. 2015/914.

subsections (2A) and (2B) were inserted by paragraphs 62, 65(1), (4); subsection (3) was amended by paragraphs 62, 65(1), (6).

(1) In section 59(1), the definitions of “community care services” and “local authority” were amended by S.I. 2015/914, Schedule, paragraphs 62, 66(1), (2), (3)(a) and (b).

188. Mae Deddf Mabwysiadu a Phlant 2002 wedi ei diwygio fel a ganlyn.

189. Yn adran 2(5) (diffiniadau sylfaenol) mewnosoder yn y lle priodol yn nhrefn yr wyddor—

““the 2014 Act” means the Social Services and Well-being (Wales) Act 2014 (anaw 4),”.

190. Yn adran 3 (gofyniad i awdurdodau lleol gynnal gwasanaeth mabwysiadu), yn is-adran (6) yn lle “(which include” rhodder “or for the purposes of the 2014 Act (which, in each case, include”.

191. Yn adran 30(6) (gwaharddiadau cyffredinol ar symud) ar ôl “1989 Act” mewnosoder “or section 76(5) of the 2014 Act”.

192. Yn adran 34(6) (gorchmynion lleoli: gwahardd symud) ar ôl “1989 Act” mewnosoder “or section 76(5) of the 2014 Act (removal of children from local authority accommodation)”.

193. Yn adran 37 (ymgeiswyr ar gyfer mabwysiadu) ar ôl “1989 Act” mewnosoder “or section 76(5) of the 2014 Act”.

194. Yn adran 38 (rhieni maeth awdurdod lleol)—

- (a) yn is-adran (3)(b) ar ôl “1989 Act” mewnosoder “or section 76(5) of the 2014 Act”;
- (b) yn is-adran (5)(a) ar ôl “1989 Act” mewnosoder “or section 76(5) of 2014 Act”;
- (c) yn is-adran (5)(c) ar ôl “1989 Act” mewnosoder “or section 76(5) of the 2014 Act”.

195. Yn adran 39 (partneriaid rhieni)—

- (a) yn is-adran (2)(b) ar ôl “1989 Act” mewnosoder “or section 76(5) of 2014 Act”;
- (b) yn is-adran (3)(c) ar ôl “1989 Act” mewnosoder “or section 76(5) of the 2014 Act”.

196. Yn adran 40(2)(b) (achosion eraill heb fod drwy asiantaeth) ar ôl “1989 Act” mewnosoder “or section 76(5) of the 2014 Act”.

197. Yn adran 53 (addasu Deddf 1989 mewn perthynas â mabwysiadu)—

- (a) yn is-adran (1) hepgorer “of the 1989 Act”;
- (b) yn lle is-adran (2) rhodder—
“(2) The provisions are—
 - (a) section 22(4)(b), (c) and (d) and (5)(b) of the 1989 Act (duty to ascertain wishes and feelings of certain persons);
 - (b) sections 6(4)(b) and 78(3)(a) of the 2014 Act (duty to ascertain wishes and feelings of certain persons);

188. The Adoption and Children Act 2002 is amended as follows.

189. In section 2(5) (basic definitions) insert in the appropriate place in alphabetical order—

““the 2014 Act” means the Social Services and Well-being (Wales) Act 2014 (anaw 4),”.

190. In section 3 (requirement for local authorities to maintain an adoption service), in subsection (6) for “(which include” substitute “or for the purposes of the 2014 Act (which, in each case, include”.

191. In section 30(6) (general prohibitions on removal) after “1989 Act” insert “or section 76(5) of the 2014 Act”.

192. In section 34(6) (placement orders: prohibition on removal) after “1989 Act” insert “or section 76(5) of the 2014 Act (removal of children from local authority accommodation)”.

193. In section 37 (applicants for adoption) after “1989 Act” insert “or section 76(5) of the 2014 Act”.

194. In section 38 (local authority foster parents)—

- (a) in subsection (3)(b) after “1989 Act” insert “or section 76(5) of the 2014 Act”;
- (b) in subsection (5)(a) after “1989 Act” insert “or section 76(5) of 2014 Act”;
- (c) in subsection (5)(c) after “1989 Act” insert “or section 76(5) of the 2014 Act”.

195. In section 39 (partners of parents)—

- (a) in subsection (2)(b) after “1989 Act” insert “or section 76(5) of 2014 Act”;
- (b) in subsection (3)(c) after “1989 Act” insert “or section 76(5) of the 2014 Act”.

196. In section 40(2)(b) (other non-agency cases) after “1989 Act” insert “or section 76(5) of the 2014 Act”.

197. In section 53 (modification of 1989 Act in relation to adoption)—

- (a) in subsection (1) omit “of the 1989 Act”;
- (b) for subsection (2) substitute—
“(2) The provisions are—
 - (a) section 22(4)(b), (c) and (d) and (5)(b) of the 1989 Act (duty to ascertain wishes and feelings of certain persons);
 - (b) sections 6(4)(b) and 78(3)(a) of the 2014 Act (duty to ascertain wishes and feelings of certain persons);

(c) paragraphs 15 and 21 of Schedule 2 to the 1989 Act (promoting contact with parents and parents' obligations to contribute towards maintenance);

(d) section 95 of and paragraph 1 of Schedule 1 to the 2014 Act (promoting contact with parents and parents' obligations to contribute towards maintenance).";

(c) yn is-adran (3)(a) yn lle "that Act" rhodder "the 1989 Act";

(d) yn is-adran (4) yn lle "that Act (contributions towards maintenance of children looked after by local authorities)" rhodder "the 1989 Act (contributions towards maintenance of children looked after by local authorities) or under Schedule 1 to the 2014 Act (contributions towards maintenance of looked after children)";

(e) ym mhennawd yr adran, ar ôl "1989 Act" mewnosoder "and 2014 Act".

198. Yn Atodlen 6—

(a) ar ôl "(where stated) of the 1989 Act" mewnosoder "or the 2014 Act";

(b) yn y tabl, mewnosoder yn y lle priodol yn nhrefn yr wyddor—

"the 2014 Act section 2(5)";

(c) yn y tabl, yn lle'r ymadrodd "child looked after by a local authority" rhodder—

"child looked after by a local authority (in relation to a local authority in England) section 22 of the 1989 Act

child looked after by a local authority (in relation to a local authority in Wales) section 74 of the 2014 Act";

(d) yn y tabl, yn lle'r ymadrodd "local authority foster parent" rhodder—

"local authority foster parent section 105(1) of the 1989 Act".

Deddf Cenedligrwydd, Mewnfudo a Lloches 2002 (p. 41)

199.—(1) Mae paragraff 1(1) o Atodlen 3 i Ddeddf Cenedligrwydd, Mewnfudo a Lloches 2002 (cadw cymorth yn ôl a'i dynnu'n ôl) wedi ei ddiwygio fel a ganlyn.

(c) paragraphs 15 and 21 of Schedule 2 to the 1989 Act (promoting contact with parents and parents' obligations to contribute towards maintenance);

(d) section 95 of and paragraph 1 of Schedule 1 to the 2014 Act (promoting contact with parents and parents' obligations to contribute towards maintenance).";

(c) in subsection (3)(a) for "that Act" substitute "the 1989 Act";

(d) in subsection (4) for "that Act (contributions towards maintenance of children looked after by local authorities)" substitute "the 1989 Act (contributions towards maintenance of children looked after by local authorities) or under Schedule 1 to the 2014 Act (contributions towards maintenance of looked after children)";

(e) in the heading to the section, after "1989 Act" insert "and 2014 Act".

198. In Schedule 6—

(a) after "(where stated) of the 1989 Act" insert "or the 2014 Act";

(b) in the table, insert in the appropriate place in alphabetical order—

"the 2014 Act section 2(5)";

(c) in the table, for the expression "child looked after by a local authority" substitute—

"child looked after by a local authority (in relation to a local authority in England) section 22 of the 1989 Act

child looked after by a local authority (in relation to a local authority in Wales) section 74 of the 2014 Act";

(d) in the table, for the expression "local authority foster parent" substitute—

"local authority foster parent section 105(1) of the 1989 Act".

Nationality, Immigration and Asylum Act 2002 (c. 41)

199.—(1) Paragraph 1(1) of Schedule 3 of the Nationality, Immigration and Asylum Act 2002 (withholding and withdrawal of support) is amended as follows.

- (2) Hepgorer paragraffau (a), (b) ac (e).
- (3) Hepgorer “or” ar ddiwedd paragraff (m).
- (4) Ar ôl paragraff (n) mewnosoder—

“or

- (o) Part 4 (duty of local authority to meet needs) or sections 105 to 116 (leaving care, accommodation and fostering) of the Social Services and Well-being (Wales) Act 2014.”

Deddf Gofal Cymunedol (Rhyddhau Gohiriedig etc.) 2003 (p. 5)

200. Hepgorer adran 16 o Ddeddf Gofal Cymunedol (Rhyddhau Gohiriedig etc.) 2003(1) (darparu gwasanaethau am ddim yng Nghymru).

Deddf Troseddau Rhywiol 2003 (p. 42)

201. Mae Deddf Troseddau Rhywiol 2003 wedi ei diwygio fel a ganlyn.

202. Yn adran 21(2) (swyddi o ymddiriedaeth)—

- (a) yn is-adran (3)(a), ar ôl “Children Act 1989 (c. 41)” mewnosoder “or section 81(6) of the Social Services and Well-being (Wales) Act 2014”;
- (b) yn is-adran (3)(b) yn lle “that Act” rhodder “the Children Act 1989”;
- (c) yn is-adran (8)(a) ar ôl “Children Act 1989 (c. 41)” mewnosoder “or section 76 or 77 of the Social Services and Well-being (Wales) Act 2014”;
- (d) ar ddiwedd is-adran (10)(a), mewnosoder “or”;
- (e) ar ôl is-adran (10)(a), mewnosoder—
 - “(aa) section 106(1) of the Social Services and Well-being (Wales) Act 2014 in respect of category 1 or 2 young persons within the meaning of that Act,”.

- (2) Omit paragraphs (a), (b) and (e).
- (3) Omit “or” at the end of paragraph (m).
- (4) After paragraph (n) insert—

“or

- (o) Part 4 (duty of local authority to meet needs) or sections 105 to 116 (leaving care, accommodation and fostering) of the Social Services and Well-being (Wales) Act 2014.”

Community Care (Delayed Discharges etc.) Act 2003 (c. 5)

200. Omit section 16 of the Community Care (Delayed Discharges etc.) Act 2003(1) (free provision of services in Wales).

Sexual Offences Act 2003 (c. 42)

201. The Sexual Offences Act 2003 is amended as follows.

202. In section 21(2) (positions of trust)—

- (a) in subsection (3)(a), after “Children Act 1989 (c. 41)” insert “or section 81(6) of the Social Services and Well-being (Wales) Act 2014”;
- (b) in subsection (3)(b) for “that Act” substitute “the Children Act 1989”;
- (c) in subsection (8)(a) after “Children Act 1989 (c. 41)” insert “or section 76 or 77 of the Social Services and Well-being (Wales) Act 2014”;
- (d) at the end of subsection (10)(a), insert “or”;
- (e) after subsection (10)(a), insert—
 - “(aa) section 106(1) of the Social Services and Well-being (Wales) Act 2014 in respect of category 1 or 2 young persons within the meaning of that Act,”.

(1) Amnewidiwyd adran 16 gan baragraffau 68 a 74 o'r Atodlen i O.S. 2015/914.

(2) Diwygiwyd adran 21 gan baragraff 15 o Atodlen 1 i Ddeddf Plant a Phobl Ifanc 2008 a chan O.S. 2008/1779. Mae diwygiadau eraill nad ydynt yn berthnasol.

(1) Section 16 was substituted by S.I. 2015/914, Schedule, paragraphs 68, 74.

(2) Section 21 was amended by by the Children and Young Persons Act 2008, Schedule 1, paragraph 15 and by S.I. 2008/1779. There are other amendments which are not relevant.

203. Yn adran 27(1) (perthnasoedd teuluol), ar ôl is-adran (5)(c)(ia) mewnosoder—

“(ib)he is a person with whom the child has been placed under section 81 of the Social Services and Well-being (Wales) Act 2014 in a placement falling within subsection (6)(a) or (b) of that section (placement with a local authority foster parent),”.

Deddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 (p. 43)

204. Mae Deddf Iechyd a Gofal Cymdeithasol (Iechyd Cymunedol a Safonau) 2003 wedi ei diwygio fel a ganlyn.

205. Yn adran 114 (cwynion am wasanaethau cymdeithasol)—

- (a) yn is-adran (2) yn lle “under subsection (1)” rhodder “under this section”;
- (b) hepgorer is-adrannau (3) a (4);
- (c) yn is-adran (5)—
 - (i) ym mharagraff (a) hepgorer “in the case of regulations under subsection (1),”;
 - (ii) hepgorer paragraff (b)(2);
- (d) yn y penawd ar y diwedd mewnosoder “: England”.

206. Yn adran 115 (rheoliadau cwynion: atodol) yn is-adran (1) hepgorer “or (3)”.

207. Hefgorer adran 116(2) a (3) (mewnosod adran 26ZB yn Neddf Plant 1989).

208. Yn adran 148 (dehongli Rhan 2)—

- (a) yn y diffiniad o “local authority”—
 - (i) ar ôl “authority” mewnosoder “—
 - (a) in relation to England,”;
 - (ii) ar y diwedd mewnosoder—

“(b) in relation to Wales, has the same meaning as in the Social Services and Well-being (Wales) Act 2014”;
- (b) yn lle’r diffiniad o “social services functions”(3) rhodder y canlynol—

203. In section 27(1) (family relationships), after subsection (5)(c)(ia) insert—

“(ib)he is a person with whom the child has been placed under section 81 of the Social Services and Well-being (Wales) Act 2014 in a placement falling within subsection (6)(a) or (b) of that section (placement with a local authority foster parent),”.

Health and Social Care (Community Health and Standards) Act 2003 (c. 43)

204. The Health and Social Care (Community Health and Standards) Act 2003 is amended as follows.

205. In section 114 (complaints about social services)—

- (a) in subsection (2) for “under subsection (1)” substitute “under this section”;
- (b) omit subsections (3) and (4);
- (c) in subsection (5)—
 - (i) in paragraph (a) omit “in the case of regulations under subsection (1),”;
 - (ii) omit paragraph (b)(2);
- (d) in the heading at the end insert “: England”.

206. In section 115 (complaints regulations: supplementary) in subsection (1) omit “or (3)”.

207. Omit section 116(2) and (3) (insertion of section 26ZB into Children Act 1989).

208. In section 148 (interpretation of Part 2)—

- (a) in the definition of “local authority”—
 - (i) after “authority” insert “—
 - (a) in relation to England,”;
 - (ii) at the end insert—

“(b) in relation to Wales, has the same meaning as in the Social Services and Well-being (Wales) Act 2014”;
- (b) for the definition of “social services functions”(3) substitute the following—

(1) Rhoddwyd paragraff (c)(i) ac (ia) newydd yn lle adran 27(5)(c)(i) gan baragraff 16 o Atodlen 1 i Ddeddf Plant a Phobl Ifanc 2008.

(2) Amnewidiwyd adran 114(5)(b) gan baragraffau 74 ac 76(b) o Atodlen 6 i Ddeddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 (p. 10).

(3) Diwygiwyd y diffiniad o “social services functions” gan baragraffau 82 a 93(1) a (3) o Atodlen 14 i Ddeddf Addysg ac Arolygiadau 2006 (p. 40).

(1) Section 27(5)(c)(i) was substituted, by subsequent paragraph (c)(i) and (ia), by the Children and Young Persons Act 2008, Schedule 1, paragraph 16.

(2) Section 114(5)(b) was substituted by the Public Services Ombudsman (Wales) Act 2005 (c. 10), Schedule 6, paragraphs 74, 76(b).

(3) The definition of “social services functions” was amended by the Education and Inspections Act 2006 (c. 40), Schedule 14, paragraphs 82, 93(1), (3).

““social services functions” in relation to —

- (a) a local authority in England, has the same meaning as in the Local Authority Social Services Act 1970 but does not include—
 - (i) functions within section 135(1)(d) or (e) of the Education and Inspections Act 2006, or
 - (ii) functions prescribed by regulations under section 135(1)(f) of that Act;
- (b) a local authority in Wales, has the same meaning as in section 143 of the Social Services and Well-being (Wales) Act 2014;”.

209. Yn Atodlen 4, hepgorer paragraff 77 (diwygio adran 24C o Ddeddf Plant 1989).

Deddf Cyfiawnder Troseddol 2003 (p. 44)

210. Mae Deddf Cyfiawnder Troseddol 2003 wedi ei diwygio fel a ganlyn.

211. Yn adran 159 (datgelu adroddiadau cyn dedfrydu), yn is-adran (7), yn y diffiniad o “social services functions”—

- (a) ar ôl “given” mewnosoder “—
 - (a) in relation to England;”;
- (b) ar y diwedd mewnosoder—
 - “(b) in relation to Wales, has the meaning given by section 143 of the Social Services and Well-being (Wales) Act 2014”.

212. Yn adran 325 (trefniadau ar gyfer asesu risgiau a berir gan droseddwyr penodol), yn is-adran (9), yn y diffiniad o “social services functions”(1)—

- (a) ar ôl “given” mewnosoder “—
 - (a) in relation to England;”;
- (b) ar y diwedd mewnosoder—
 - “(b) in relation to Wales, has the meaning given by section 143 of the Social Services and Well-being (Wales) Act 2014”.

Deddf Gofalwyr (Cyfle Cyfartal) 2004 (p. 15)

213. Yn Neddf Gofalwyr (Cyfle Cyfartal) 2004, hepgorer—

(1) Mewnosodwyd y diffiniad o “social services functions” gan O.S. 2010/1158.

““social services functions” in relation to —

- (a) a local authority in England, has the same meaning as in the Local Authority Social Services Act 1970 but does not include—
 - (i) functions within section 135(1)(d) or (e) of the Education and Inspections Act 2006, or
 - (ii) functions prescribed by regulations under section 135(1)(f) of that Act;
- (b) a local authority in Wales, has the same meaning as in section 143 of the Social Services and Well-being (Wales) Act 2014;”.

209. In Schedule 4, omit paragraph 77 (amendment to section 24C of the Children Act 1989).

Criminal Justice Act 2003 (c. 44)

210. The Criminal Justice Act 2003 is amended as follows.

211. In section 159 (disclosure of pre-sentence reports), in subsection (7), in the definition of “social services functions”—

- (a) after “given” insert “—
 - (a) in relation to England;”;
- (b) at the end insert—
 - “(b) in relation to Wales, has the meaning given by section 143 of the Social Services and Well-being (Wales) Act 2014”.

212. In section 325 (arrangements for assessing risks posed by certain offenders), in subsection (9), in the definition of “social services functions”(1)—

- (a) after “given” insert “—
 - (a) in relation to England;”;
- (b) at the end insert—
 - “(b) in relation to Wales, has the meaning given by section 143 of the Social Services and Well-being (Wales) Act 2014”.

Carers (Equal Opportunities) Act 2004 (c. 15)

213. In the Carers (Equal Opportunities) Act 2004, omit—

(1) The definition of “social services functions” was inserted by S.I. 2010/1158.

- (a) adran 1(2);
- (b) adran 2(2) a (3);
- (c) adran 3(1);
- (d) adran 4.

Deddf Archwilio Cyhoeddus (Cymru) 2004 (p. 23)

214. Yn adran 54 (cyfyngu ar ddatgelu gwybodaeth) o Ddeddf Archwilio Cyhoeddus (Cymru) 2004, yn is-adran (5) yn lle “the Local Authority Social Services Act 1970 (c. 42)” rhodder “section 143 of the Social Services and Well-being (Wales) Act 2014”.

Deddf Plant 2004 (p. 31)

215. Mae Deddf Plant 2004 wedi ei diwygio fel a ganlyn.

216. Yn adran 9(4)(a)(2) (swyddogaethau'r Comisiynydd mewn perthynas â phobl ifanc penodol) yn lle “Children Act 1989” rhodder “Social Services and Well-being (Wales) Act 2014”.

217. Yn adran 25(10)(b) (cydweithredu i wella llesiant: Cymru) yn lle is-baragraff (i) rhodder—

“(i) services under sections 105 to 118 and 176 of the Social Services and Well-being (Wales) Act 2014; or”.

218. Hepgorer adrannau 31 i 34 (Byrddau Lleol Diogelu Plant yng Nghymru).

219. Yn adran 49 (taliadau i rieni maeth)—

- (a) yn is-adran (1)(a), ar ôl y geiriau “Children Act 1989” mewnosoder “or section 81 of the Social Services and Well-being (Wales) Act 2014”;
- (b) yn is-adran (1)(b) yn lle “that Act” rhodder “the Children Act 1989”;
- (c) yn is-adran (2) hepgorer y diffiniad o “local authority foster parent” a “voluntary organisation”;
- (d) yn is-adran (2) ar ôl y diffiniad o “appropriate person” mewnosoder—
 - ““local authority foster parent” has the same meaning as in section 105(1) of the Children Act 1989;
 - “voluntary organisation” has the same meaning as in the Children Act 1989.”

- (a) section 1(2);
- (b) section 2(2) and (3);
- (c) section 3(1);
- (d) section 4.

Public Audit (Wales) Act 2004 (c. 23)

214. In section 54 (restriction on disclosure of information) of the Public Audit (Wales) Act 2004, in subsection (5) for “the Local Authority Social Services Act 1970 (c. 42)” substitute “section 143 of the Social Services and Well-being (Wales) Act 2014”.

Children Act 2004 (c. 31)

215. The Children Act 2004 is amended as follows.

216. In section 9(4)(a)(2) (Commissioner’s functions in relation to certain young people) for “Children Act 1989” substitute “Social Services and Well-being (Wales) Act 2014”.

217. In section 25(10)(b) (co-operation to improve well-being: Wales) for sub-paragraph (i) substitute—

“(i) services under sections 105 to 118 and 176 of the Social Services and Well-being (Wales) Act 2014; or”.

218. Omit sections 31 to 34 (Local Safeguarding Children Boards in Wales).

219. In section 49 (payments to foster parents)—

- (a) in subsection (1)(a), after the words “Children Act 1989” insert “or section 81 of the Social Services and Well-being (Wales) Act 2014”;
- (b) in subsection (1)(b) for “that Act” substitute “the Children Act 1989”;
- (c) in subsection (2) omit the definition of “local authority foster parent” and “voluntary organisation”;
- (d) in subsection (2) after the definition of “appropriate person” insert—
 - ““local authority foster parent” has the same meaning as in section 105(1) of the Children Act 1989;
 - “voluntary organisation” has the same meaning as in the Children Act 1989.”

(1) Diwygiwyd adran 3 gan baragraffau 75 ac 76 o'r Atodlen i O.S. 2015/914.
 (2) Amnewidiwyd adran 9 gan baragraff 6(1) o Atodlen 5 i Ddeddf Plant a Theuluoedd 2014 (p. 6).

(1) Section 3 was amended by S.I. 2015/914, Schedule, paragraphs 75, 76.
 (2) Section 9 was substituted by the Children and Families Act 2014 (c. 6) Schedule 5, paragraph 6(1).

- 220.** Yn adran 50A(1) (ymyrryd – Cymru)—
- (a) yn is-adran (2) hepgorer paragraffau (a) a (b);
 - (b) yn is-adran (4) hepgorer y diffiniad o “social services functions”.

221. Yn Atodlen 2, hepgorer paragraff 2(2)(b).

Deddf Treth Incwm (Incwm Masnachu ac Incwm Arall) 2005 (p. 5)

222. Mae Deddf Treth Incwm (Incwm Masnachu ac Incwm Arall) 2005 wedi ei diwygio fel a ganlyn.

223. Yn adran 744(2) (taliadau i fabwysiadwyr, etc: Cymru a Lloegr)—

- (a) ar ôl is-adran (1)(i) mewnosoder—
 - “(j) payments made to a person under sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (meeting care and support needs of children) by reason of that person being named in a child arrangements order as a person with whom a child is to live.”;
- (b) yn is-adran (2) yn lle “or (i)” rhodder “, (i) or (j)”.

224. Yn adran 776(2A)(3) (incwm ysgoloriaeth) ar y diwedd mewnosoder “or under sections 110(6) or 112(2) of the Social Services and Well-being (Wales) Act 2014 (duty to make payments to certain young people who pursue higher education)”.

225. Yn adran 806 (ystyr darparu gofal maeth)—

- (a) yn is-adran (3) ar ôl paragraff (a) mewnosoder—
 - “(aa) section 81 of the Social Services and Well-being (Wales) Act 2014 (provision of accommodation for children by local authorities).”;
- (b) yn is-adran (5) ar ôl paragraff (e) mewnosoder—
 - “(f) an individual with whom the child is placed under a placement falling within section 81(6)(d) of the Social Services and Well-being (Wales) Act 2014.”

220. In section 50A(1) (intervention – Wales)—

- (a) in subsection (2) omit paragraphs (a) and (b);
- (b) in subsection (4) omit the definition of “social services functions”.

221. In Schedule 2, omit paragraph 2(2)(b).

Income Tax (Trading and Other Income) Act 2005 (c. 5)

222. The Income Tax (Trading and Other Income) Act 2005 is amended as follows.

223. In section 744(2) (payments to adopters, etc: England and Wales)—

- (a) after subsection (1)(i) insert—
 - “(j) payments made to a person under sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (meeting care and support needs of children) by reason of that person being named in a child arrangements order as a person with whom a child is to live.”;
- (b) in subsection (2) for “or (i)” substitute “, (i) or (j)”.

224. In section 776(2A)(3) (scholarship income) at end insert “or under sections 110(6) or 112(2) of the Social Services and Well-being (Wales) Act 2014 (duty to make payments to certain young people who pursue higher education)”.

225. In section 806 (meaning of providing foster care)—

- (a) in subsection (3) after paragraph (a) insert—
 - “(aa) section 81 of the Social Services and Well-being (Wales) Act 2014 (provision of accommodation for children by local authorities).”;
- (b) in subsection (5) after paragraph (e) insert—
 - “(f) an individual with whom the child is placed under a placement falling within section 81(6)(d) of the Social Services and Well-being (Wales) Act 2014.”

(1) Mewnosodwyd adran 50A gan baragraff 7(1) a (3) o Atodlen 5 i Ddeddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013 (decc 1).
 (2) Diwygiwyd adran 744 gan adran 2(2) o Ddeddf Cyllid (Rhif 3) 2010 (p. 33).
 (3) Mewnosodwyd adran 776(2A) gan adran 21(4) o Ddeddf Plant a Phobl Ifanc 2008.

(1) Section 50A was inserted by the School Standards and Organisation (Wales) Act 2013 (anaw 1), Schedule 5, paragraph 7(1), (3).
 (2) Section 744 was amended by the Finance (No 3) Act 2010 (c. 33), section 2(2).
 (3) Section 776(2A) was inserted by the Children and Young Persons Act 2008, section 21(4).

Deddf Galluedd Meddyliol 2005 (p. 9)

226. Mae Deddf Galluedd Meddyliol 2005 wedi ei diwygio fel a ganlyn.

227. Yn adran 39(1) (darparu llety gan awdurdod lleol), yn is-adran (2)—

- (a) yn lle paragraff (a) rhodder—
“(a) Part 4 of the Social Services and Well-being (Wales) Act 2014; or”;
- (b) hepgorer y geiriau sy’n dilyn paragraff (b).

228. Yn adran 64 (dehongli), yn y diffiniad o “social services function”—

- (a) ar ôl “function” mewnoder “—
(a) in relation to England”;
- (b) ar y diwedd mewnoder—
“(b) in relation to Wales, has the meaning given in section 143 of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

229. Ym mharagraff 183 o Atodlen A1(2) (amddifadu preswylwyr ysbyty neu gartref gofal o ryddid: preswyliaeth arferol at ddiben adnabod awdurdod goruchwyllo)—

- (a) hepgorer is-baragraffau (1) a (2);
- (b) ar ôl is-baragraff (2A) mewnoder—
“(2B) Section 194(1), (2), (4) and (5) of the Social Services and Well-being (Wales) Act 2014 apply to a determination of where a person is ordinarily resident for the purposes of paragraphs 180, 181 and 182 as it applies for the purposes of that Act.”

Deddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 (p. 10)

230. Yn Atodlen 6 i Ddeddf Ombwdsmon Gwasanaethau Cyhoeddus (Cymru) 2005 (diwygiadau canlyniadol), ym mharagraff 76, hepgorer is-baragraff (b).

Deddf Gofal Plant 2006 (p. 21)

231. Mae Deddf Gofal Plant 2006 wedi ei diwygio fel a ganlyn.

232. Yn lle adran 25(2) (ffioedd pan fo awdurdod lleol yn darparu gofal plant) rhodder—

-
- (1) Diwygiwyd adran 39 gan baragraffau 78 a 79(1) i (4) o'r Atodlen i O.S. 2015/914. Mae diwygiadau eraill nad ydynt yn berthnasol.
 - (2) Mewniodwyd Atodlen A1 gan Atodlen 7 i Ddeddf Iechyd Meddwl 2007 (p. 12).

Mental Capacity Act 2005 (c. 9)

226. The Mental Capacity Act 2005 is amended as follows.

227. In section 39(1) (provision of accommodation by local authority), in subsection (2)—

- (a) for paragraph (a) substitute—
“(a) Part 4 of the Social Services and Well-being (Wales) Act 2014; or”;
- (b) omit the words following paragraph (b).

228. In section 64 (interpretation), in the definition of “social services function”—

- (a) after “function” insert “—
(a) in relation to England”;
- (b) at the end insert—
“(b) in relation to Wales, has the meaning given in section 143 of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

229. In paragraph 183 of Schedule A1(2) (deprivation of liberty of hospital or care home residents: ordinary residence for the purpose of identifying supervisory authority)—

- (a) omit sub-paragraphs (1) and (2);
- (b) after sub-paragraph (2A) insert—
“(2B) Section 194(1), (2), (4) and (5) of the Social Services and Well-being (Wales) Act 2014 apply to a determination of where a person is ordinarily resident for the purposes of paragraphs 180, 181 and 182 as it applies for the purposes of that Act.”

Public Services Ombudsman (Wales) Act 2005 (c. 10)

230. In Schedule 6 of the Public Services Ombudsman (Wales) Act 2005 (consequential amendments), in paragraph 76, omit sub-paragraph (b).

Childcare Act 2006 (c. 21)

231. The Childcare Act 2006 is amended as follows.

232. For section 25(2) (charges where local authority provide childcare) substitute—

-
- (1) Section 39 was amended by S.I. 2015/914, Schedule, paragraphs 78, 79(1) to (4). There are other amendments which are not relevant.
 - (2) Schedule A1 was inserted by the Mental Health Act 2007 (c. 12), Schedule 7.

“(2) Subsection (1) does not apply to childcare provided under sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (meeting care and support needs of children), provision as to charges for such care being made by Part 5 of that Act.”

233. Yn Atodlen 2 (diwygiadau i Ddeddf Plant 1989) hepgorer paragraff 4.

Deddf Addysg ac Arolygiadau 2006 (p. 40)

234. Mae Deddf Addysg ac Arolygiadau 2006 wedi ei diwygio fel a ganlyn.

235. Yn adran 93A(7)(1) (cofnodi'r defnydd o rym gan aelodau o staff ac adrodd arno: Lloegr) yn y diffiniad o “parent”, ar ôl “Children Act 1989” mewnosoder “or section 76 of the Social Services and Well-being (Wales) Act 2014”.

236. Yn Atodlen 14 (diwygiadau i Ddeddf Plant 1989) hepgorer paragraff 17.

Deddf y Gwasanaeth Iechyd Gwladol 2006 (p. 41)

237. Mae Deddf y Gwasanaeth Iechyd Gwladol 2006 wedi ei diwygio fel a ganlyn.

238. Yn adran 13N(2) (dyletswydd Bwrdd Comisiynu'r Gwasanaeth Iechyd o ran hybu integreiddio), yn is-adran (4) yn y diffiniad o “social care services” ar ôl “1970” mewnosoder “or for the purposes of the Social Services and Well-being (Wales) Act 2014”.

239. Yn adran 14Z1(3) (dyletswydd grwpiau comisiynu clinigol o ran hybu integreiddio), yn is-adran (3) yn y diffiniad o “social care services” ar ôl “1970” mewnosoder “or for the purposes of the Social Services and Well-being (Wales) Act 2014”.

240. Yn adran 74 (cyflenwi nwyddau a gwasanaethau gan awdurdodau lleol), yn lle is-adran (4) rhodder—

“(4) “services” means—

- (a) in relation to a local authority in England, the services of persons employed by the authority for the purposes of its functions under the Local Authority Social Services Act 1970 (c. 42);

“(2) Subsection (1) does not apply to childcare provided under sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (meeting care and support needs of children), provision as to charges for such care being made by Part 5 of that Act.”

233. In Schedule 2 (amendments to Children Act 1989) omit paragraph 4.

Education and Inspections Act 2006 (c. 40)

234. The Education and Inspections Act 2006 is amended as follows.

235. In section 93A(7)(1) (recording and reporting the use of force by members of staff: England) in the definition of “parent”, after “Children Act 1989” insert “or section 76 of the Social Services and Well-being (Wales) Act 2014”.

236. In Schedule 14 (amendments to the Children Act 1989) omit paragraph 17.

National Health Service Act 2006 (c. 41)

237. The National Health Service Act 2006 is amended as follows.

238. In section 13N(2) (duty of Health Service Commissioning Board as to promoting integration), in subsection (4) in the definition of “social care services” after “1970” insert “or for the purposes of the Social Services and Well-being (Wales) Act 2014”.

239. In section 14Z1(3) (duty of clinical commissioning groups as to promoting integration), in subsection (3) in the definition of “social care services” after “1970” insert “or for the purposes of the Social Services and Well-being (Wales) Act 2014”.

240. In section 74 (supply of goods and services by local authorities), for subsection (4) substitute—

“(4) “services” means—

- (a) in relation to a local authority in England, the services of persons employed by the authority for the purposes of its functions under the Local Authority Social Services Act 1970 (c. 42);

(1) Mewnosodwyd adran 93A gan adran 246 o Ddeddf Prentisiaethau, Sgiliau, Plant a Dysgu 2009.
(2) Mewnosodwyd adran 13N gan adran 23(1) o Ddeddf Iechyd a Gofal Cymdeithasol 2012 (p. 7).
(3) Mewnosodwyd adran 14Z1 gan adran 26 o Ddeddf Iechyd a Gofal Cymdeithasol 2012.

(1) Section 93A was inserted by the Apprenticeships, Skills, Children and Learning Act 2009, section 246.
(2) Section 13N was inserted by the Health and Social Care Act 2012 (c. 7), section 23(1).
(3) Section 14Z1 was inserted by the Health and Social Care Act 2012, section 26.

- (b) in relation to a local authority in Wales, the services of persons employed by the authority for the purposes of its functions which are social services functions for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

241. Yn adran 77 (ymddiriedolaethau gofal)—

- (a) yn is-adran (11) ar ôl y geiriau “relevant social services functions” mewnosoder “of a local authority in England”;
- (b) ar ôl is-adran (11), mewnosoder—
 “(11A) In connection with the exercise by a body so designated of any relevant social services functions under LA delegation arrangements, sections 145 to 149 of the Social Services and Well-being (Wales) Act 2014 (codes on the exercise of social services functions) apply to the body as if it were a local authority within the meaning of that Act.”;
- (c) yn is-adran (12), yn lle’r diffiniad o “relevant social services functions” rhodder—

““relevant social services functions” means—

- (a) in relation to a local authority in England, health-related functions which are social services functions within the meaning of the Local Authority Social Services Act 1970;
- (b) in relation to a local authority in Wales, health-related functions which are social services functions within the meaning of the Social Services and Well-being (Wales) Act 2014.”

242. Yn adran 78 (trefniadau partneriaeth wedi eu cyfarwyddo), hyd nes y bydd yr adran honno wedi ei diddymu gan baragraff 30 o Atodlen 14 i Ddeddf Iechyd a Gofal Cymdeithasol 2012, yn is-adran (5) yn lle’r diffiniad o “relevant social services functions” rhodder—

““relevant social services functions” means health-related functions which are social services functions of local authorities in England within the meaning of the Local Authority Social Services Act 1970 (c. 42) or of local authorities in Wales within the meaning of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

243. Yn adran 256 (pŵer i wneud taliadau tuag at wariant ar wasanaethau cymunedol)—

- (a) yn is-adran (1)(a), ar ôl y geiriau “a local social services authority” mewnosoder “in England”;
- (b) ar ôl is-adran (1)(a), mewnosoder—

- (b) in relation to a local authority in Wales, the services of persons employed by the authority for the purposes of its functions which are social services functions for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

241. In section 77 (care trusts)—

- (a) in subsection (11) after the words “relevant social services functions” insert “of a local authority in England”;
- (b) after subsection (11), insert—
 “(11A) In connection with the exercise by a body so designated of any relevant social services functions under LA delegation arrangements, sections 145 to 149 of the Social Services and Well-being (Wales) Act 2014 (codes on the exercise of social services functions) apply to the body as if it were a local authority within the meaning of that Act.”;
- (c) in subsection (12), for the definition of “relevant social services functions” substitute—

““relevant social services functions” means—

- (a) in relation to a local authority in England, health-related functions which are social services functions within the meaning of the Local Authority Social Services Act 1970;
- (b) in relation to a local authority in Wales, health-related functions which are social services functions within the meaning of the Social Services and Well-being (Wales) Act 2014.”

242. In section 78 (directed partnership arrangements), until the repeal of that section by paragraph 30 of Schedule 14 to the Health and Social Care Act 2012, at subsection (5) for the definition of “relevant social services functions” substitute—

““relevant social services functions” means health-related functions which are social services functions of local authorities in England within the meaning of the Local Authority Social Services Act 1970 (c. 42) or of local authorities in Wales within the meaning of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

243. In section 256 (power to make payments towards expenditure on community services)—

- (a) in subsection (1)(a), after the words “a local social services authority” insert “in England”;
- (b) after subsection (1)(a), insert—

“(aa) a local social services authority in Wales towards expenditure incurred or to be incurred by it in connection with any of its functions which are social services functions for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

Deddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 (p. 42)

244. Mae Deddf y Gwasanaeth Iechyd Gwladol (Cymru) 2006 wedi ei diwygio fel a ganlyn.

245. Yn adran 32 (cyflenwi nwyddau a gwasanaethau gan awdurdodau lleol), yn lle is-adran (4) rhodder—

“(4) “services” means—

- (a) in relation to a local authority in England, the services of persons employed by the authority for the purposes of its functions under the Local Authority Social Services Act 1970 (c. 42);
- (b) in relation to a local authority in Wales, the services of persons employed by the authority for the purposes of functions which are social services functions for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

246. Yn adran 35 (ymddiriedolaethau gofal)—

- (a) yn is-adran (11) ar ôl y geiriau “relevant social services functions” mewnosoder “of a local authority in England”;
- (b) ar ôl is-adran (11) mewnosoder—

“(11A) In connection with the exercise by a body so designated of any relevant social services functions of a local authority in Wales under LA arrangements, sections 145 to 149 of the Social Services and Well-being (Wales) Act 2014 (codes on the exercise of social services functions) apply to the body as if it were a local authority within the meaning of that Act.”;

- (c) yn is-adran (12), yn lle'r diffiniad o “relevant social services functions” rhodder—

““relevant social services functions” means—

- (a) in relation to a local authority in England, health-related functions which are social services functions within the meaning of the Local Authority Social Services Act 1970;
- (b) in relation to a local authority in Wales, health-related functions which are social services functions for the

“(aa) a local social services authority in Wales towards expenditure incurred or to be incurred by it in connection with any of its functions which are social services functions for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

National Health Service (Wales) Act 2006 (c. 42)

244. The National Health Service (Wales) Act 2006 is amended as follows.

245. In section 32 (supply of goods and services by local authorities), for subsection (4) substitute—

“(4) “services” means—

- (a) in relation to a local authority in England, the services of persons employed by the authority for the purposes of its functions under the Local Authority Social Services Act 1970 (c. 42);
- (b) in relation to a local authority in Wales, the services of persons employed by the authority for the purposes of functions which are social services functions for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

246. In section 35 (care trusts)—

- (a) in subsection (11) after the words “relevant social services functions” insert “of a local authority in England”;
- (b) after subsection (11) insert—

“(11A) In connection with the exercise by a body so designated of any relevant social services functions of a local authority in Wales under LA arrangements, sections 145 to 149 of the Social Services and Well-being (Wales) Act 2014 (codes on the exercise of social services functions) apply to the body as if it were a local authority within the meaning of that Act.”;

- (c) in subsection (12), for the definition of “relevant social services functions” substitute—

““relevant social services functions” means—

- (a) in relation to a local authority in England, health-related functions which are social services functions within the meaning of the Local Authority Social Services Act 1970;
- (b) in relation to a local authority in Wales, health-related functions which are social services functions for the

purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

247. Yn adran 36 (trefniadau partneriaeth wedi eu cyfarwyddo), yn is-adran (5), yn lle'r diffiniad o “relevant social services functions” rhodder—

““relevant social services functions” means health-related functions of local authorities in England within the meaning of the Local Authority Social Services Act 1970 (c. 42) or of local authorities in Wales for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

248. Yn adran 192 (awdurdodau gwasanaethau cymdeithasol lleol)—

- (a) hepgorer is-adran (1);
- (b) yn is-adran (4), hepgorer paragraff (b) ac “or” o flaen hynny;
- (c) yn is-adran (5), hepgorer “and Schedule 15”.

249. Yn adran 194 (pŵer i wneud taliadau tuag at wariant ar wasanaethau cymunedol)—

- (a) yn lle is-adran (1)(a), rhodder—
 - “(a) a local social services authority in Wales towards expenditure incurred or to be incurred by it in connection with any of its functions which are social services functions for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”;
- (b) ar ôl is-adran (1)(a), mewnosoder—
 - “(aa) a local social services authority in England towards expenditure incurred or to be incurred by it in connection with any social services functions (within the meaning of the Local Authority Social Services Act 1970 (c. 42)), other than functions under section 3 of the Disabled Persons (Employment) Act 1958 (c. 33).”.

250. Hefgorer Atodlen 15 (darpariaeth bellach ynghylch awdurdodau gwasanaethau cymdeithasol lleol).

Deddf y Gwasanaeth Iechyd Gwladol (Darpariaethau Canlyniadol) 2006 (p. 43)

251. Ym mharagraff 90 o Atodlen 1 i Ddeddf y Gwasanaeth Iechyd Gwladol (Darpariaethau Canlyniadol) 2006 (diwygiadau canlyniadol i Ddeddf Personau Anabl (Gwasanaethau, Ymgynghori a Chynrychioli) 1986) hepgorer is-baragraff (h).

purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

247. In section 36 (directed partnership arrangements), in subsection (5), for the definition of “relevant social services functions” substitute—

““relevant social services functions” means health-related functions of local authorities in England within the meaning of the Local Authority Social Services Act 1970 (c. 42) or of local authorities in Wales for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

248. In section 192 (local social services authorities)—

- (a) omit subsection (1);
- (b) in subsection (4), omit paragraph (b) and “or” before it;
- (c) in subsection (5), omit “and Schedule 15”.

249. In section 194 (power to make payments towards expenditure on community services)—

- (a) for subsection (1)(a), substitute—
 - “(a) a local social services authority in Wales towards expenditure incurred or to be incurred by it in connection with any of its functions which are social services functions for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”;
- (b) after subsection (1)(a), insert—
 - “(aa) a local social services authority in England towards expenditure incurred or to be incurred by it in connection with any social services functions (within the meaning of the Local Authority Social Services Act 1970 (c. 42)), other than functions under section 3 of the Disabled Persons (Employment) Act 1958 (c. 33).”.

250. Omit Schedule 15 (further provision about local social services authorities).

National Health Service (Consequential Provisions) Act 2006 (c. 43)

251. In paragraph 90 of Schedule 1 to the National Health Service (Consequential Provisions) Act 2006 (consequential amendments to the Disabled Persons (Services, Consultation and Representation) Act 1986) omit sub-paragraph (h).

Deddf Diogelu Grwpiau Hyglwyf 2006 (p. 47)

252. Mae Deddf Diogelu Grwpiau Hyglwyf 2006 wedi ei diwygio fel a ganlyn.

253. Yn adran 6 (darparwyr gweithgareddau a reoleiddir)—

- (a) yn is-adran (8A)(1)—
 - (i) ar ôl “Health and Social Care Act 2001” hepgorer “or”;
 - (ii) ar ôl “Care Act 2014” mewnosoder “or sections 50 to 53 of the Social Services and Well-being (Wales) Act 2014”;

- (b) ar ôl yr is-adran (8C) gyntaf(2) mewnosoder—

“(8CA) A person (S) who is authorised as mentioned in subsection (5)(a) of section 50 of the Social Services and Well-being (Wales) Act 2014 does not make arrangements for another to engage in a regulated activity by virtue of anything that S does under subsection (5)(b) or (6)(b) of that section.”

254. Yn adran 30(8)(3) (darparu gwybodaeth fetio) (hyd nes y bydd yn peidio â chael effaith yn rhinwedd adran 72(1) o Ddeddf Diogelu Rhyddidau 2012)—

- (i) ar ôl “Health and Social Care Act 2001 (c. 15),” hepgorer “or”;
- (ii) ar ôl “Care Act 2014” mewnosoder “or in accordance with regulations made under sections 50 to 53 of the Social Services and Well-being (Wales) Act 2014”.

255. Yn lle adran 53(7)(a) (maethu) rhodder—

“(a) the person is a local authority foster parent within the meaning of section 105 of the Children Act 1989;”.

Deddf Treth Incwm 2007 (p. 3)

256.—(1) Mae adran 38 o Ddeddf Treth Incwm 2007 wedi ei diwygio fel a ganlyn.

(2) Yn is-adran (2), yn lle paragraff (b) rhodder—

“(b) registered as a severely sight-impaired adult in a register kept under section 18(1) of the Social Services and Well-being (Wales) Act 2014 (registers kept by local authorities in Wales).”

-
- (1) Mewnosodwyd is-adran (8A) gan baragraff 8 o Atodlen 14 i Ddeddf Iechyd a Gofal Cymdeithasol 2008 (p. 14).
 - (2) Mewnosodwyd yr is-adran (8C) gyntaf yn rhinwedd paragraffau 89 a 93(1) a (3) o'r Atodlen i O.S. 2015/914.
 - (3) Diwygiwyd adran 30(8) gan baragraffau 85 a 86 o'r Atodlen i O.S. 2015/914.

Safeguarding Vulnerable Groups Act 2006 (c. 47)

252. The Safeguarding Vulnerable Groups Act 2006 is amended as follows.

253. In section 6 (regulated activity providers)—

- (a) in subsection (8A)(1)—
 - (i) after “Health and Social Care Act 2001” omit “or”;
 - (ii) after “Care Act 2014” insert “or sections 50 to 53 of the Social Services and Well-being (Wales) Act 2014”;

- (b) after the first subsection (8C)(2) insert—

“(8CA) A person (S) who is authorised as mentioned in subsection (5)(a) of section 50 of the Social Services and Well-being (Wales) Act 2014 does not make arrangements for another to engage in a regulated activity by virtue of anything that S does under subsection (5)(b) or (6)(b) of that section.”

254. In section 30(8)(3) (provision of vetting information) (until it ceases to have effect by virtue of section 72(1) of the Protection of Freedoms Act 2012)—

- (i) after “Health and Social Care Act 2001 (c. 15),” omit “or”;
- (ii) after “Care Act 2014” insert “or in accordance with regulations made under sections 50 to 53 of the Social Services and Well-being (Wales) Act 2014”.

255. For section 53(7)(a) (fostering) substitute—

“(a) the person is a local authority foster parent within the meaning of section 105 of the Children Act 1989;”.

Income Tax Act 2007 (c. 3)

256.—(1) Section 38 of the Income Tax Act 2007 is amended as follows.

(2) In subsection (2), for paragraph (b) substitute—

“(b) registered as a severely sight-impaired adult in a register kept under section 18(1) of the Social Services and Well-being (Wales) Act 2014 (registers kept by local authorities in Wales).”

-
- (1) Subsection (8A) was inserted by the Health and Social Care Act 2008 (c. 14) Schedule 14, paragraph 8.
 - (2) The first subsection (8C) was inserted by virtue of S.I. 2015/914, Schedule, paragraphs 89, 93(1), (3).
 - (3) Section 30(8) was amended by S.I. 2015/914, Schedule, paragraphs 85, 86.

- (3) Yn is-adran (4)(1)—
- (a) ym mharagraff (a)—
 - (i) hepgorer “as a blind person in a register kept under section 29 of the National Assistance Act 1948 or”;
 - (ii) ar ôl “Care Act 2014” mewnosoder “or section 18(1) of the Social Services and Well-being (Wales) Act 2014”;
 - (b) ym mharagraff (b), hepgorer “of blindness or”.

Deddf Rheoli Troseddwy 2007 (p. 21)

257. Yn Rhan 1 o Atodlen 3 i Ddeddf Rheoli Troseddwy 2007 (mân ddiwygiadau a diwygiadau canlyniadol) hepgorer paragraff 4(7).

Deddf Cyfiawnder Troseddol a Mewnfudo 2008 (p. 4)

258. Mae Deddf Cyfiawnder Troseddol a Mewnfudo 2008 wedi ei diwygio fel a ganlyn.

259. Yn adran 7 (gorchmynion adsefydlu ieuencid: dehongli) yn is-adran (5), yn y diffiniad o “social services functions”—

- (a) ar ôl y geiriau “social services functions” mewnosoder “in relation to a local authority in England,”;
- (b) ar y diwedd mewnosoder—
 - “(b) in relation to a local authority in Wales, means the social services functions of the authority for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

260. Ym mharagraff 18 o Atodlen 1 i Ddeddf Cyfiawnder Troseddol a Mewnfudo 2008 (gofyniad maethu)—

- (a) ar ddiwedd is-baragraff (3), mewnosoder—
 - “or section 81 of the Social Services and Well-being (Wales) Act 2014.”;
- (b) yn is-baragraff (8) ar ôl “has the same meaning as it has in” mewnosoder “section 105(1) of”.

Deddf Plant a Phobl Ifanc 2008 (p. 23)

261. Mae Deddf Plant a Phobl Ifanc 2008 wedi ei diwygio fel a ganlyn.

- (3) In subsection (4)(1)—
- (a) in paragraph (a)—
 - (i) omit “as a blind person in a register kept under section 29 of the National Assistance Act 1948 or”;
 - (ii) after “Care Act 2014” insert “or section 18(1) of the Social Services and Well-being (Wales) Act 2014”;
 - (b) in paragraph (b), omit “of blindness or”.

Offender Management Act 2007 (c. 21)

257. In Part 1 of Schedule 3 to the Offender Management Act 2007 (minor and consequential amendments) omit paragraph 4(7).

Criminal Justice and Immigration Act 2008 (c. 4)

258. The Criminal Justice and Immigration Act 2008 is amended as follows.

259. In section 7 (youth rehabilitation orders: interpretation) in subsection (5), in the definition of “social services functions”—

- (a) after the words “social services functions” insert “in relation to a local authority in England,”;
- (b) at the end insert—
 - “(b) in relation to a local authority in Wales, means the social services functions of the authority for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

260. In paragraph 18 of Schedule 1 of the Criminal Justice and Immigration Act 2008 (fostering requirement)—

- (a) at the end of sub-paragraph (3), insert—
 - “or section 81 of the Social Services and Well-being (Wales) Act 2014.”;
- (b) in sub-paragraph (8) after “has the same meaning as it has in” insert “section 105(1) of”.

Children and Young Persons Act 2008 (c. 23)

261. The Children and Young Persons Act 2008 is amended as follows.

(1) Diwygiwyd adran 38(4) gan baragraff 88(1) a (4)(a) o'r Atodlen i O.S. 2015/914.

(1) Section 38(4) was amended by S.I. 2015/914, Schedule, paragraph 88(1), (4)(a).

262. Yn adran 20 (aelod dynodedig o staff mewn ysgol ar gyfer disgyblion sy'n derbyn gofal gan awdurdod lleol)—

- (a) yn is-adran (5)(a) ar ôl “1989 Act” mewnosoder “, Part 6 of the 2014 Act”;
- (b) ar ôl is-adran (6)(b) mewnosoder—
“(ba) is a category 2 or 3 young person within the meaning of section 104 of the 2014 Act.”.

263. Yn adran 31(1) (cyflenwi gwybodaeth ynghylch marwolaeth plant i Fyrddau Lleol Diogelu Plant)—

- (a) yn is-adran (2) yn lle “appropriate Local Safeguarding Children Board” rhodder “appropriate Board”;
- (b) yn is-adran (4) yn lle “appropriate Local Safeguarding Children Board” rhodder “appropriate Board”;
- (c) yn is-adran (6), ar ôl “Local Safeguarding Children Board” mewnosoder “in England or Safeguarding Children Board in Wales”;
- (d) yn is-adran (9) yn lle “Each Local Safeguarding Children Board” rhodder “Each Local Safeguarding Children Board in England and each Safeguarding Children Board in Wales”;
- (e) yn is-adran (10)—
 - (i) yn lle'r diffiniad o “the appropriate Local Safeguarding Children Board” rhodder—

““the appropriate Board” means—

- (a) the Local Safeguarding Children Board in England within whose area is situated the sub-district for which the register is kept; or
 - (b) the Safeguarding Children Board in Wales for the Safeguarding Board area within which is situated the sub-district for which the register is kept,
- and “Safeguarding Board area” has the meaning given by section 142 of the 2014 Act.”;

- (ii) ar y diwedd mewnosoder—
““Local Safeguarding Children Board in England” means a Board established by a local authority in England under section 13 of the Children Act 2004;

262. In section 20 (designated member of staff at school for pupils looked after by a local authority)—

- (a) in subsection (5)(a) after “1989 Act” insert “, Part 6 of the 2014 Act”;
- (b) after subsection (6)(b) insert—
“(ba) is a category 2 or 3 young person within the meaning of section 104 of the 2014 Act.”.

263. In section 31(1) (supply of information concerning the death of children to Local Safeguarding Children Boards)—

- (a) in subsection (2) for “appropriate Local Safeguarding Children Board” substitute “appropriate Board”;
- (b) in subsection (4) for “appropriate Local Safeguarding Children Board” substitute “appropriate Board”;
- (c) in subsection (6), after “Local Safeguarding Children Board” insert “in England or Safeguarding Children Board in Wales”;
- (d) in subsection (9) for “Each Local Safeguarding Children Board” substitute “Each Local Safeguarding Children Board in England and each Safeguarding Children Board in Wales”;
- (e) in subsection (10)—
 - (i) for the definition of “the appropriate Local Safeguarding Children Board” substitute—

““the appropriate Board” means—

- (a) the Local Safeguarding Children Board in England within whose area is situated the sub-district for which the register is kept; or
 - (b) the Safeguarding Children Board in Wales for the Safeguarding Board area within which is situated the sub-district for which the register is kept,
- and “Safeguarding Board area” has the meaning given by section 142 of the 2014 Act.”;

- (ii) at the end insert—
““Local Safeguarding Children Board in England” means a Board established by a local authority in England under section 13 of the Children Act 2004;

(1) Diwygiwyd adran 31 gan baragraff 65 o Ran 2 o Atodlen 2 i O.S. 2010/1158.

(1) Section 31 was amended by S.I. 2010/1158, Part 2 of Schedule 2, paragraph 65.

“Safeguarding Children Board in Wales” means a Board established under section 134(4) of the 2014 Act.”;

- (f) yn y pennawd ar ôl “Local Safeguarding Children Boards” mewnosoder “in England and Safeguarding Children Boards in Wales”.

264. Yn adran 32 (pŵer y Cofrestrydd Cyffredinol i gyflenwi gwybodaeth i awdurdodau cenedlaethol)—

- (a) yn lle is-adran (2) rhodder—

“(2) Information supplied under subsection (1) to the Secretary of State may be disclosed by the Secretary of State—

- (a) to any other person if the disclosure is for research purposes; and
(b) to a Local Safeguarding Children Board in England or Safeguarding Children Board in Wales for the purposes of its functions.

(2A) Information supplied under subsection (1) to the Welsh Ministers may be disclosed by them—

- (a) to any other person if the disclosure is for research purposes; and
(b) to a Local Safeguarding Children Board in England or a Safeguarding Children Board in Wales for the purposes of its functions.”;

- (b) yn is-adran (4)—

- (i) ar ôl “section 83(1)” mewnosoder “or section 83A(1)”;
(ii) ar y diwedd mewnosoder “or under section 184(1) of the 2014 Act.”;

- (c) ar ôl is-adran (4) mewnosoder—

“(5) “Local Safeguarding Children Board in England” and “Safeguarding Children Board in Wales” have the same meanings as in section 31.”.

265. Yn adran 41 (dehongli) ar ôl y diffiniad o “the 2000 Act” mewnosoder—

““the 2014 Act” means the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

266. Yn Atodlen 1, hepgorer paragraff 3(4) (diffiniad o “local authority foster parent”).

267. Yn Atodlen 3 (mân ddiwygiadau a diwygiadau atodol i Ddeddf Plant 1989)—

- (a) hepgorer paragraffau 2 i 19;
(b) hepgorer paragraff 21;
(c) hepgorer paragraff 22;

“Safeguarding Children Board in Wales” means a Board established under section 134(4) of the 2014 Act.”;

- (f) in the heading after “Local Safeguarding Children Boards” insert “in England and Safeguarding Children Boards in Wales”.

264. In section 32 (power of Registrar General to supply information to national authorities)—

- (a) for subsection (2) substitute—

“(2) Information supplied under subsection (1) to the Secretary of State may be disclosed by the Secretary of State—

- (a) to any other person if the disclosure is for research purposes; and
(b) to a Local Safeguarding Children Board in England or Safeguarding Children Board in Wales for the purposes of its functions.

(2A) Information supplied under subsection (1) to the Welsh Ministers may be disclosed by them—

- (a) to any other person if the disclosure is for research purposes; and
(b) to a Local Safeguarding Children Board in England or a Safeguarding Children Board in Wales for the purposes of its functions.”;

- (b) in subsection (4)—

- (i) after “section 83(1)” insert “or section 83A(1)”;
(ii) at the end insert “or under section 184(1) of the 2014 Act.”;

- (c) after subsection (4) insert—

“(5) “Local Safeguarding Children Board in England” and “Safeguarding Children Board in Wales” have the same meanings as in section 31.”

265. In section 41 (interpretation) after the definition of “the 2000 Act” insert—

““the 2014 Act” means the Social Services and Well-being (Wales) Act 2014 (anaw 4).”

266. In Schedule 1, omit paragraph 3(4) (definition of “local authority foster parent”).

267. In Schedule 3 (minor and supplementary amendments to the Children Act 1989)—

- (a) omit paragraphs 2 to 19;
(b) omit paragraph 21;
(c) omit paragraph 22;

- (d) hepgorer paragraff 26;
- (e) hepgorer paragraff 27.

Mesur Teithio gan Ddysgwyr (Cymru) 2008 (mccc 2)

268.—(1) Mae adran 24 (dehongli cyffredinol) o Fesur Teithio gan Ddysgwyr (Cymru) 2008 wedi ei diwygio fel a ganlyn.

(2) Yn is-adran (1) yn y diffiniad o “awdurdod lleol” yn lle “Neddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970 (p.42)” rhodder “Neddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.”

(3) Yn is-adran (2) yn lle “adran 22(1) o Ddeddf Plant 1989 (p.41)” rhodder “adran 74 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014”.

Deddf Diwygio Lles 2009 (p. 24)

269. Mae Deddf Diwygio Lles 2009 wedi ei diwygio fel a ganlyn.

270. Yn adran 39(6) (gwasanaethau perthnasol)—

- (a) hepgorer paragraff (b);
- (b) ar ddiwedd paragraff (c) ychwaneger “or sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (meeting care and support needs of children)”.

271. Yn adran 50(1) (dehongli Rhan 2), yn y diffiniad o “community care services” yn lle paragraff (aa) rhodder—

“(aa) in relation to Wales, services under Part 4 of the Social Services and Well-being (Wales) Act 2014 or section 117 of the Mental Health Act 1983;”.

Deddf Plismona a Throsedd 2009 (p. 26)

272. Ym mharagraff 4 o Atodlen 5A (gofynion gweithgareddau sy'n ymwneud â gorchmynion goruchwyllo) i Ddeddf Plismona a Throsedd 2009, yn is-baragraff (15)(b), yn lle'r diffiniad o “social services functions” rhodder—

““social services functions” means—

- (a) in relation to a local authority in England, its social services functions within the meaning of the Local Authority Social Services Act 1970; and

- (d) omit paragraph 26;
- (e) omit paragraph 27.

Learner Travel (Wales) Measure 2008 (nawm 2)

268.—(1) Section 24 (general interpretation) of the Learner Travel (Wales) Measure 2008 is amended as follows.

(2) In subsection (1) in the definition of “local authority” for “the Local Authority Social Services Act 1970 (c.42)” substitute “the Social Services and Well-being (Wales) Act 2014.”

(3) In subsection (2) for “section 22(1) of the Children Act 1989 (c.41)” substitute “section 74 of the Social Services and Well-being (Wales) Act 2014”.

Welfare Reform Act 2009 (c. 24)

269. The Welfare Reform Act 2009 is amended as follows.

270. In section 39(6) (relevant services)—

- (a) omit paragraph (b);
- (b) at the end of paragraph (c) add “or sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014 (meeting care and support needs of children)”.

271. In section 50(1) (interpretation of Part 2), in the definition of “community care services” for paragraph (aa) substitute—

“(aa) in relation to Wales, services under Part 4 of the Social Services and Well-being (Wales) Act 2014 or section 117 of the Mental Health Act 1983;”.

Policing and Crime Act 2009 (c. 26)

272. In paragraph 4 of Schedule 5A (activity requirements relating to supervision orders) to the Policing and Crime Act 2009, in sub-paragraph (15)(b), for the definition of “social services functions” substitute—

““social services functions” means—

- (a) in relation to a local authority in England, its social services functions within the meaning of the Local Authority Social Services Act 1970; and

(1) Diwygiwyd adran 50 gan baragraff 94 o'r Atodlen i O.S. 2015/914. Mae diwygiadau eraill nad ydynt yn berthnasol.

(1) Section 50 was amended by S.I. 2015/914, Schedule, paragraph 94. There are other amendments which are not relevant.

(b) in relation to a local authority in Wales, its social services functions for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).
”

Deddf Gofal Personol yn y Cartref 2010 (p. 18)

273. Mae Deddf Gofal Personol yn y Cartref 2010 wedi ei diddymu.

Deddf Plant, Ysgolion a Theuluoedd 2010 (p. 26)

274. Hepgorer adran 9 o Ddeddf Plant, Ysgolion a Theuluoedd 2010 (cyflenwi gwybodaeth y mae Byrddau Lleol Diogelu Plant yng Nghymru yn gofyn amdani).

Mesur Plant a Theuluoedd (Cymru) 2010 (mccc 1)

275. Mae Mesur Plant a Theuluoedd (Cymru) 2010 wedi ei ddiwygio fel a ganlyn.

276. Hepgorer Rhan 3 (timau integredig cymorth i deuluoedd).

277. Hepgorer adran 69 (swyddogaethau gwasanaethau cymdeithasol awdurdodau lleol).

Mesur Codi Ffioedd am Wasanaethau Gofal Cymdeithasol (Cymru) 2010 (mccc 2)

278. Mae Mesur Codi Ffioedd am Wasanaethau Gofal Cymdeithasol (Cymru) 2010 wedi ei ddiddymu.

Mesur Strategaethau ar gyfer Gofalwyr (Cymru) 2010 (mccc 5)

279. Mae Mesur Strategaethau ar gyfer Gofalwyr (Cymru) 2010 wedi ei ddiddymu.

Mesur Iechyd Meddwl (Cymru) 2010 (mccc 7)

280. Mae Mesur Iechyd Meddwl (Cymru) 2010 wedi ei ddiwygio fel a ganlyn.

281. Yn adran 5(2) (ystyr “gwasanaethau cymorth iechyd meddwl sylfaenol lleol”)—

- (a) yn y diffiniad o “gofalwyr” yn lle “adran 22C(12)” rhodder “adran 105(1)”;
- (b) yn y diffiniad o “gwasanaethau”, ym mharagraff (c), yn lle “Ran III o Ddeddf Plant 1989” rhodder “adrannau 37 i 39 a Rhan 6 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014”.

282. yn adran 9(3)(d) (cynnal asesiadau iechyd meddwl sylfaenol) yn lle “Ran III o Ddeddf Plant 1989”

(b) in relation to a local authority in Wales, its social services functions for the purposes of the Social Services and Well-being (Wales) Act 2014 (anaw 4).
”

Personal Care at Home Act 2010 (c. 18)

273. The Personal Care at Home Act 2010 is repealed.

Children, Schools and Families Act 2010 (c. 26)

274. Omit section 9 of the Children, Schools and Families Act 2010 (supply of information requested by LSCBs in Wales).

Children and Families (Wales) Measure 2010 (nawm 1)

275. The Children and Families (Wales) Measure 2010 is amended as follows.

276. Omit Part 3 (integrated family support teams).

277. Omit section 69 (local authority social services functions).

Social Care Charges (Wales) Measure 2010 (nawm 2)

278. The Social Care Charges (Wales) Measure 2010 is repealed.

Carers Strategies (Wales) Measure 2010 (nawm 5)

279. The Carers Strategies (Wales) Measure 2010 is repealed.

Mental Health (Wales) Measure 2010 (nawm 7)

280. The Mental Health (Wales) Measure 2010 is amended as follows.

281. In section 5(2) (meaning of “local primary mental health support services”)—

- (a) in the definition of “carers” for “section 22C(12)” substitute “section 105(1)”;
- (b) in the definition of “services”, in paragraph (c), for “Part III of the Children Act 1989” substitute “sections 37 to 39 and Part 6 of the Social Services and Well-being (Wales) Act 2014”.

282. In section 9(3)(d) (conduct of primary mental health assessments) for “Part III of the Children Act

rhodder “adrannau 37 i 39 a Rhan 6 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014”.

283. Hepgorer adran 43 (diwygio Deddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970).

284. Yn adran 49(1)(d) (ystyr gwasanaethau iechyd meddwl eilaidd) yn lle “Ran III o Ddeddf Plant 1989” rhodder “adrannau 37 i 39 a Rhan 6 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014”.

285. Yn adran 51 (dehongli’n gyffredinol)—

- (a) yn is-adran (1) yn lle’r diffiniad o “gwasanaethau gofal cymunedol” rhodder—
“ystyr “gwasanaethau gofal cymunedol” (“community care services”) yw gwasanaethau a ddarperir i oedolyn yn unol â Rhan 4 o Ddeddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014;”;
- (b) hepgorer is-adran (4).

Deddf Iechyd a Gofal Cymdeithasol 2012 (p. 7)

286. Hepgorer paragraff 50 o Atodlen 5 i Ddeddf Iechyd a Gofal Cymdeithasol 2012 (diwygio adran 24C(2) o Ddeddf Plant 1989).

Deddf Diogelu Rhyddidau 2012 (p. 9)

287. Yn adran 28 o Ddeddf Diogelu Rhyddidau 2012 (dehongli: pennod 2)—

- (a) yn is-adran (7) ar ôl “Children Act 1989” mewnosoder “or section 74 of the Social Services and Well-being (Wales) Act 2014”;
- (b) yn is-adran (8)—
 - (i) ar ôl “Children Act 1989” mewnosoder “or section 74 of the Social Services and Well-being (Wales) Act 2014”;
 - (ii) yn lle “that Act” rhodder “the Children Act 1989”.

Deddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwy 2012 (p. 10)

288. Mae Deddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwy 2012 wedi ei diwygio fel a ganlyn.

289. Yn lle adran 107(6) (dehongli’r bennod) rhodder—

“(6) In this Chapter, references to a child who is looked after by a local authority are to be construed—

- (a) in relation to a local authority in England, in accordance with section 22 of the Children Act 1989;

1989” substitute “sections 37 to 39 and Part 6 of the Social Services and Well-being (Wales) Act 2014”.

283. Omit section 43 (amendment of the Local Authority Social Services Act 1970).

284. In section 49(1)(d) (meaning of secondary mental health services) for “Part III of the Children Act 1989” substitute “sections 37 to 39 and Part 6 of the Social Services and Well-being (Wales) Act 2014”.

285. In section 51 (general interpretation)—

- (a) in subsection (1) for the definition of “community care services” substitute—
““community care services” (“gwasanaethau gofal cymunedol”) means services provided to an adult pursuant to Part 4 of the Social Services and Well-being (Wales) Act 2014;”;
- (b) omit subsection (4).

Health and Social Care Act 2012 (c. 7)

286. Omit paragraph 50 of Schedule 5 to the Health and Social Care Act 2012 (amendment to section 24C(2) of the Children Act 1989).

Protection of Freedoms Act 2012 (c. 9)

287. In section 28 of the Protection of Freedoms Act 2012 (interpretation: chapter 2)—

- (a) in subsection (7) after “Children Act 1989” insert “or section 74 of the Social Services and Well-being (Wales) Act 2014”;
- (b) in subsection (8)—
 - (i) after “Children Act 1989” insert “or section 74 of the Social Services and Well-being (Wales) Act 2014”;
 - (ii) for “that Act” substitute “the Children Act 1989”.

Legal Aid, Sentencing and Punishment of Offenders Act 2012 (c. 10)

288. The Legal Aid, Sentencing and Punishment of Offenders Act 2012 is amended as follows.

289. For section 107(6) (interpretation of chapter) substitute—

“(6) In this Chapter, references to a child who is looked after by a local authority are to be construed—

- (a) in relation to a local authority in England, in accordance with section 22 of the Children Act 1989;

(b) in relation to a local authority in Wales, in accordance with section 74 of the Social Services and Well-being (Wales) Act 2014”.

290. Yn Atodlen 1 (gwasanaethau cyfreithiol sifil)—

- (a) yn Rhan 1, ar ôl paragraff 1(1)(j) mewnosoder—
- “(k) orders under section 119 of the Social Services and Well-being (Wales) Act 2014 (“the 2014 Act”) (secure accommodation);
 - (l) approval by a court under section 124 of the 2014 Act (arrangements to assist children to live abroad).”;
- (b) yn Rhan 1, ym mharagraff 6(3), yn y diffiniad o “community care services”—
- (i) hepgorer paragraffau (a) i (d);
 - (ii) ym mharagraff (h) yn lle “sections 22A, 22B, 22C and 23” rhodder “sections 22A, 22B and 22C”;
 - (iii) hepgorer paragraffau (k) ac (m);
 - (iv) ar y diwedd mewnosoder—
- “(o) section 15 of the Social Services and Well-being (Wales) Act 2014 (“the 2014 Act”) (preventative services);
 - (p) Part 4 of the 2014 Act (local authority’s functions of meeting a person’s needs for care and support);
 - (q) section 76 of the 2014 Act (provision of accommodation for children);
 - (r) sections 79, 80 and 81 of the 2014 Act (accommodation and maintenance for children in care and looked after children);
 - (s) sections 105 to 116 of the 2014 Act (local authority support for certain children);”;
- (c) yn Rhan 3, hepgorer is-baragraff (a) o baragraff 8.

Deddf Plant a Theuluoedd 2014 (p. 6)

291. Hepgorer adran 16(2) o Ddeddf Plant a Theuluoedd 2014 (diwygio adran 104A o Ddeddf Plant 1989).

Deddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlisma 2014 (p. 12)

292. Ym mharagraff 4 o Atodlen 2 i Ddeddf Ymddygiad Gwrthgymdeithasol, Troseddu a Phlisma 2014 (gofynion gweithgareddau sy’n ymwneud â gorchmynion goruchwyllo), yn is-baragraff (14)(b), ar

(b) in relation to a local authority in Wales, in accordance with section 74 of the Social Services and Well-being (Wales) Act 2014”.

290. In Schedule 1 (civil legal services)—

- (a) in Part 1, after paragraph 1(1)(j) insert—
- “(k) orders under section 119 of the Social Services and Well-being (Wales) Act 2014 (“the 2014 Act”) (secure accommodation);
 - (l) approval by a court under section 124 of the 2014 Act (arrangements to assist children to live abroad).”;
- (b) in Part 1, in paragraph 6(3), in the definition of “community care services”—
- (i) omit paragraphs (a) to (d);
 - (ii) in paragraph (h) for “sections 22A, 22B, 22C and 23” substitute “sections 22A, 22B and 22C”;
 - (iii) omit paragraphs (k) and (m);
 - (iv) at the end insert—
- “(o) section 15 of the Social Services and Well-being (Wales) Act 2014 (“the 2014 Act”) (preventative services);
 - (p) Part 4 of the 2014 Act (local authority’s functions of meeting a person’s needs for care and support);
 - (q) section 76 of the 2014 Act (provision of accommodation for children);
 - (r) sections 79, 80 and 81 of the 2014 Act (accommodation and maintenance for children in care and looked after children);
 - (s) sections 105 to 116 of the 2014 Act (local authority support for certain children);”;
- (c) in Part 3, omit sub-paragraph (a) of paragraph 8.

Children and Families Act 2014 (c. 6)

291. Omit section 16(2) of the Children and Families Act 2014 (amendment to section 104A of the Children Act 1989).

Anti-Social Behaviour, Crime and Policing Act 2014 (c. 12)

292. In paragraph 4 of Schedule 2 to the Anti-social Behaviour, Crime and Policing Act 2014 (activity requirements relating to supervisions orders), in sub-paragraph (14)(b), after “1970” insert “in relation to a

ôl “1970” mewnosoder “in relation to a local authority in England or for the purposes of the Social Services and Well-being (Wales) Act 2014 in relation to a local authority in Wales”.

Deddf Gofal 2014 (p. 23)

293. Yn adran 62 o Ddeddf Gofal 2014 (pŵer i ddiwallu anghenion gofalwr plentyn am gymorth) yn is-adran (3) yn lle “under section 17 of the Children Act 1989.” rhodder—

“under—

- (a) section 17 of the Children Act 1989, or
- (b) sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014.”

Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 (dccc 4)

294. Mae Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014 wedi ei diwygio fel a ganlyn.

295. Yn is-adran (2)(h) o adran 15 (gwasanaethau ataliol) ar ôl “llety diogel” mewnosoder “o fewn yr ystyr a roddir yn adran 119 ac o fewn yr ystyr a roddir i “secure accommodation” yn adran 25 o Ddeddf Plant 1989”.

296. Yn adran 37(4) (dyletswydd i ddiwallu anghenion gofal a chymorth plentyn) ar ôl “hysbysu am blentyn o dan adran 120(2)(a)” mewnosoder “neu o dan adran 85(1) o Ddeddf Plant 1989 (plant sy’n cael eu lletya gan awdurdodau iechyd ac awdurdodau addysg lleol)”.

297. Yn adran 53 (taliadau uniongyrchol: darpariaeth bellach)—

- (a) hepgorer is-adran (11) o’r testun Saesneg(1);
- (b) ar ôl is-adran (10) mewnosoder y canlynol—

“(11) Mae’r ffyrdd y caiff awdurdod lleol gyflawni ei ddyletswydd o dan adran 117 o Ddeddf Iechyd Meddwl 1983 yn cynnwys drwy wneud taliadau uniongyrchol; ac at y diben hwnnw mae Atodlen A1 (sy’n cynnwys addasiadau i adrannau 50 a 51 a’r adran hon) yn cael effaith.”

298. Yn adran 58(1) (gwarchod eiddo personau y gofelir amdanynt i ffwrdd o’u cartrefi), ym mharagraff (a) yn lle “neu ei dderbyn i ysbyty” rhodder “, pan fo’n cael ei dderbyn i ysbyty”.

299. Yn adran 76 (llety i blant sydd heb rieni, neu blant sydd ar goll neu sydd wedi eu gadael etc) ar ôl is-adran (2) mewnosoder—

(1) Mae adran 53(11) wedi ei mewnosod gan adran 75(8) o Ddeddf Gofal 2014 (p. 23) ac fe’i deddfwyd yn Saesneg yn unig.

local authority in England or for the purposes of the Social Services and Well-being (Wales) Act 2014 in relation to a local authority in Wales”.

Care Act 2014 (c. 23)

293. In section 62 of the Care Act 2014 (power to meet child’s carer’s needs for support) in subsection (3) for “under section 17 of the Children Act 1989.” substitute—

“under—

- (a) section 17 of the Children Act 1989, or
- (b) sections 37 to 39 of the Social Services and Well-being (Wales) Act 2014.”

Social Services and Well-being (Wales) Act 2014 (anaw 4)

294. The Social Services and Well-being (Wales) Act 2014 is amended as follows.

295. In subsection (2)(h) of section 15 (preventative services) after “secure accommodation” insert “within the meaning given in section 119 and in section 25 of the Children Act 1989”.

296. In section 37(4) (duty to meet care and support needs of a child) after “notified about a child under section 120(2)(a)” insert “or under section 85(1) of the Children Act 1989 (children accommodated by health authorities and local education authorities)”.

297. In section 53 (direct payments: further provision)—

- (a) omit subsection (11) from the English text(1);
- (b) after subsection (10) insert the following—

“(11) The ways in which a local authority may discharge its duty under section 117 of the Mental Health Act 1983 include by making direct payments; and for that purpose Schedule A1 (which includes modifications of sections 50 and 51 and this section) has effect.”

298. In section 58(1) (protecting property of persons being cared for away from home), in paragraph (a) for “or admission to hospital” substitute “, is admitted to hospital”.

299. In section 76 (accommodation for children without parents or who are lost or abandoned etc) after subsection (2) insert—

(1) Section 53(11) is inserted by section 75(8) of the Care Act 2014 (c. 23) and was only enacted in English.

“(2A) Pan fo awdurdod lleol yn Lloegr yn darparu llety o dan adran 20(1) o Ddeddf Plant 1989 (darparu llety i blant: cyffredinol) i blentyn sy’n preswyllo fel arfer mewn ardal awdurdod lleol yng Nghymru, caiff yr awdurdod lleol hwnnw yng Nghymru gymryd drosodd y gwaith o ddarparu llety i’r plentyn o fewn—

- (a) tri mis o gael ei hysbysu’n ysgrifenedig fod llety’n cael ei ddarparu i’r plentyn, neu
- (b) unrhyw gyfnod hirach arall a bennir.”

300. Yn adran 77 (llety i blant sy’n cael eu hamddiffyn gan yr heddlu, neu sydd o dan gadwad neu ar remánd etc)—

- (a) yn is-adran (4)(b)(i) ar ôl “awdurdod lleol” mewnosoder “neu awdurdod lleol yn Lloegr”;
- (b) yn is-adran (5) ar ôl “awdurdod lleol” mewnosoder “neu’r awdurdod lleol yn Lloegr”.

301. Yn lle adran 86 (cartrefi plant sy’n cael eu darparu, eu cyfarparu a’u cynnal gan Weinidogion Cymru) rhodder—

“Cartrefi plant sy’n cael eu darparu, eu cyfarparu a’u cynnal gan Weinidogion Cymru neu’r Ysgrifennydd Gwladol

86. Pan fo awdurdod lleol yn lleoli plentyn y mae’n gofalu amdano mewn cartref plant y mae Gweinidogion Cymru neu’r Ysgrifennydd Gwladol yn ei ddarparu, ei gyfarparu ac yn ei gynnal o dan adran 82(5) o Ddeddf Plant 1989, rhaid iddo wneud hynny ar y telerau a’r amodau a ddyfernir o bryd i’w gilydd gan Weinidogion Cymru neu’r Ysgrifennydd Gwladol (yn ôl y digwydd).”

302. Yn adran 93(1) (rheoliadau sy’n darparu ar gyfer cymeradwyo rhieni maeth awdurdod lleol) ym mharagraff (a) ar ôl “yr awdurdod lleol” mewnosoder “neu bersonau eraill”.

303. Yn adran 95(4) (hyrwyddo a chynnal cyswllt rhwng plentyn a theulu) yn lle “oddi wrth awdurdod lleol arall (“yr awdurdod trosglwyddo”) o dan adran 76” rhodder “oddi wrth awdurdod lleol neu awdurdod lleol yn Lloegr o dan adran 76 (“yr awdurdod trosglwyddo”)”.

304. Yn adran 119 (defnyddio llety i gyfyngu ar ryddid)—

- (a) yn is-adran (2)(c) ar ôl “awdurdod lleol” mewnosoder “neu awdurdod lleol yn Lloegr”;

“(2A) Where a local authority in England provides accommodation under section 20(1) of the Children Act 1989 (provision of accommodation for children: general) for a child who is ordinarily resident in the area of a local authority in Wales, that local authority in Wales may take over the provision of accommodation for the child within—

- (a) three months of being notified in writing that the child is being provided with accommodation, or
- (b) such other longer period as may be specified.”

300. In section 77 (accommodation for children in police protection or detention or on remand etc)—

- (a) in subsection (4)(b)(i) after “local authority” insert “or local authority in England”;
- (b) in subsection (5) after “local authority” insert “or local authority in England”.

301. For section 86 (children’s homes provided, equipped and maintained by the Welsh Ministers) substitute—

“Children’s homes provided, equipped and maintained by Welsh Ministers or Secretary of State

86. Where a local authority places a child it is looking after in a children’s home provided, equipped and maintained by the Welsh Ministers or the Secretary of State under section 82(5) of the Children Act 1989, it must do so on such terms and conditions as the Welsh Ministers or the Secretary of State (as the case may be) may from time to time determine.”

302. In section 93(1) (regulations providing for approval of local authority foster parents) in paragraph (a) after “such local authority” insert “or other persons”.

303. In section 95(4) (promotion and maintenance of contact between child and family) for “from another local authority (“the transferring authority”) under section 76” substitute “from a local authority or a local authority in England under section 76 (“the transferring authority”)”.

304. In section 119 (use of accommodation for restricting liberty)—

- (a) in subsection (2)(c) after “local authority” insert “or a local authority in England”;

(b) yn is-adran (6) yn lle'r geiriau o "gynrychiolaeth a fyddai'n cael ei ariannu gan" i "Gwasanaeth Amddiffyn Troseddol" rhodder "y ddarpariaeth o gynrychiolaeth o dan Ran 1 o Ddeddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwy'r 2012";

(c) ar ôl is-adran (10) mewnosoder—
“(11) Bydd gorchymyn a wneir o dan yr adran hon mewn perthynas â phlentyn, pe byddai fel arall yn parhau i fod mewn grym, yn peidio â chael effaith pan fydd y plentyn yn cyrraedd 18 oed.”

305. Yn adran 120(5) (asesu plant y mae llety'n cael ei ddarparu iddynt gan awdurdodau iechyd ac awdurdodau addysg) ar ôl "awdurdod lleol wedi ei hysbysu o dan yr adran hon" mewnosoder " , neu o dan adran 85 o Ddeddf Plant 1989 (asesu plant sy'n cael eu lletya gan awdurdodau iechyd ac awdurdodau addysg)".

306. Yn adran 122 (ymwelwyr â phlant yr hysbysir awdurdod lleol amdanynt o dan adran 120 neu 121)—

(a) yn is-adran (1)(a) ar ôl "adran 120(2)(a) neu 121(2)(a)," mewnosoder "neu o dan adran 85(1) o Ddeddf Plant 1989 (plant sy'n cael eu lletya gan awdurdodau iechyd ac awdurdodau addysg lleol),";

(b) yn is-adran (1)(b) ar ôl "adran 120(2)(b) neu adran 121(2)(b)" mewnosoder " , neu o dan adran 85(2) o Ddeddf Plant 1989";

(c) yn y pennawd hepgorer "o dan adran 120 neu 121".

307. Yn adran 123 (gwasanaethau i blant yr hysbysir awdurdod lleol amdanynt o dan adran 120 neu 121)—

(a) yn is-adran (1) ar ôl "adran 120 neu 121" mewnosoder " , neu o dan adran 85 o Ddeddf Plant 1989 (plant sy'n cael eu lletya gan awdurdodau iechyd ac awdurdodau addysg lleol);

(b) yn y pennawd hepgorer "o dan adran 120 neu 121".

308. Ar ôl adran 125 (marwolaeth plant sy'n derbyn gofal gan awdurdodau lleol) mewnosoder—

"Awdurdodaeth a gweithdrefn"

Awdurdodaeth llysoedd

125A. At ddibenion y Rhan hon, ystyr "llys" ("court") yw'r Uchel Lys neu lys teulu.

(b) in subsection (6) for the words from "representation funded by" to "Criminal Defence Service" substitute "the provision of representation under Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012";

(c) after subsection (10) insert—
“(11) An order made under this section in relation to a child, if it would otherwise still be in force, ceases to have effect when the child reaches the age of 18.”

305. In section 120(5) (assessment of children accommodated by health authorities and education authorities) after "local authority has been notified under this section" insert " , or under section 85 of the Children Act 1989 (assessment of children accommodated by health authorities and education authorities)".

306. In section 122 (visitors for children notified to a local authority under section 120 or 121)—

(a) in subsection (1)(a) after "section 120(2)(a) or 121(2)(a)," insert "or under section 85(1) of the Children Act 1989 (children accommodated by health authorities and local education authorities),";

(b) in subsection (1)(b) after "section 120(2)(b) or section 121(2)(b)" insert " , or under section 85(2) of the Children Act 1989";

(c) in the heading omit "under section 120 or 121".

307. In section 123 (services for children notified to a local authority under section 120 or 121)—

(a) in subsection (1) after "section 120 or 121" insert " , or under section 85 of the Children Act 1989 (children accommodated by health authorities and local education authorities);

(b) in the heading omit "under section 120 or 121".

308. After section 125 (death of children being looked after by local authorities) insert—

"Jurisdiction and procedure"

Jurisdiction of courts

125A. For the purposes of this Part "court" ("llys") means the High Court or a family court.

Rheolau llys

125B.—(1) Caiff awdurdod sydd â'r pŵer i wneud rheolau llys wneud unrhyw ddarpariaeth ar gyfer rhoi effaith i—

- (a) y Rhan hon, neu
- (b) darpariaethau unrhyw offeryn statudol a wneir o dan y Rhan hon,

yr ymddengys i'r awdurdod hwnnw ei bod yn angenrheidiol neu'n hwylus.

(2) Mae adran 93 o Ddeddf Plant 1989 (rheolau llys) yn gymwys i reolau a wneir yn unol â'r adran hon fel y mae'n gymwys i reolau a wneir yn unol â'r adran honno.

Caiff y rheolau, yn benodol, wneud darpariaeth—

- (a) mewn cysylltiad â'r weithdrefn sydd i'w dilyn mewn unrhyw achos perthnasol (gan gynnwys y modd y mae unrhyw gais i gael ei wneud neu y mae achos arall i gael ei ddechrau);
- (b) o ran y personau sydd â hawlogaeth i gymryd rhan mewn unrhyw achos perthnasol, p'un ai fel partïon i'r achos neu drwy gael y cyfle i gyflwyno sylwadau i'r llys;
- (c) i blant gael eu cynrychioli ar wahân mewn achos perthnasol;
- (d) o ran y dogfennau a'r wybodaeth sydd i'w darparu, a'r hysbysiadau sydd i'w rhoi, mewn cysylltiad ag unrhyw achos perthnasol;
- (e) mewn cysylltiad â gwrandawiaidau rhagarweiniol;
- (f) sy'n galluogi'r llys, o dan unrhyw amgylchiad a ragnodir, i barhau ag unrhyw gais er nad yw hysbysiad o'r achos wedi ei roi i'r ymatebydd.

(3) Yn is-adran (2)—

ystyr “a ragnodir” (“*prescribed*”) yw wedi ei ragnodi gan y rheolau;

ystyr “achos perthnasol” (“*relevant proceedings*”) yw unrhyw gais a wneir, neu achos a ddygir, o dan unrhyw un neu ragor o'r darpariaethau a grybwyllir ym mharagraffau (a) i (c) o is-adran (1) ac unrhyw ran o achos o'r fath; ac

ystyr “hysbysiad o achos” (“*notice of proceedings*”) yw gwŷs neu unrhyw hysbysiad arall o achos sy'n ofynnol; ac ystyr “rhoi” (“*given*”), mewn perthynas â gwŷs, yw “cyflwyno” (“*served*”).

Rules of court

125B.—(1) An authority having power to make rules of court may make such provision for giving effect to—

- (a) this Part, or
- (b) the provisions of any statutory instrument made under this Part,

as it appears to that authority to be necessary or expedient.

(2) Section 93 of the Children Act 1989 (rules of court) applies to rules made in accordance with this section as it applies to rules made in accordance with that section.

The rules may, in particular, make provision—

- (a) with respect to the procedure to be followed in any relevant proceedings (including the manner in which any application is to be made or other proceedings commenced);
- (b) as to the persons entitled to participate in any relevant proceedings, whether as parties to the proceedings or by being given the opportunity to make representations to the court;
- (c) for children to be separately represented in relevant proceedings;
- (d) with respect to the documents and information to be furnished, and notices to be given, in connection with any relevant proceedings;
- (e) with respect to preliminary hearings;
- (f) enabling the court, in such circumstance as may be prescribed, to proceed on any application even though the respondent has not been given notice of the proceedings.

(3) In subsection (2)—

“notice of proceedings” (“*hysbysiad o achos*”) means a summons or such other notice of proceedings as is required; and “given” (“*rhoi*”) in relation to a summons, means “served” (“*cyflwyno*”);

“prescribed” (“*a ragnodir*”) means prescribed by the rules; and

“relevant proceedings” (“*achos perthnasol*”) means any application made, or proceedings brought, under any of the provisions mentioned in paragraphs (a) to (c) of subsection (1) and any part of such proceedings.

(4) Nid yw'r adran hon nac unrhyw bŵer arall yn y Ddeddf hon i wneud rheolau llys i gael ei gymryd fel pe bai'n cyfyngu mewn unrhyw ffordd ar unrhyw bŵer arall sydd gan yr awdurdod o dan sylw i wneud rheolau llys.

(5) Wrth wneud unrhyw reolau o dan yr adran hon, bydd yr awdurdod yn ddarostyngedig i'r un gofyniad o ran ymgynghori (os oes un) ag sy'n gymwys pan fydd yr awdurdod yn gwneud rheolau o dan ei bŵer cyffredinol i wneud rheolau.

Preifatrwydd i blant sy'n rhan o achosion o dan y Rhan hon

125C. Mae adran 97 o Ddeddf Plant 1989 (preifatrwydd i blant sy'n rhan o achosion penodol) yn gymwys mewn perthynas â phlant sy'n rhan o achosion o dan y Rhan hon fel y mae'n gymwys mewn perthynas â phlant sy'n rhan o unrhyw achos o dan y Ddeddf honno.

125D.—(1) Rhaid i berson beidio â chyhoeddi i'r cyhoedd yn gyffredinol, nac i unrhyw ran o'r cyhoedd, unrhyw ddeunydd y bwriedir iddo sicrhau bod modd adnabod, neu sy'n debygol o olygu bod modd adnabod—

- (a) unrhyw blentyn sy'n rhan o unrhyw achos gerbron yr Uchel Lys neu'r llys teulu y caiff unrhyw bŵer o dan y Ddeddf hon ei arfer ynddo gan y llys mewn cysylltiad ag unrhyw blentyn; neu
- (b) cyfeiriad neu ysgol fel un plentyn sy'n rhan o unrhyw achos o'r fath.

(2) Mewn unrhyw achos am drosedd o dan yr adran hon, mae'n amddiffyniad i'r sawl a gyhuddir brofi nad oedd yn gwybod, ac nad oedd ganddo unrhyw reswm dros amau, fod y deunydd a gyhoeddwyd wedi ei fwriadu i sicrhau bod modd adnabod y plentyn, neu'n debygol o olygu bod modd adnabod y plentyn.

(3) Caiff y llys neu'r Arglwydd Ganghellor, os yw wedi ei fodloni bod lles y plentyn yn gwneud hynny yn ofynnol ac, yn achos yr Arglwydd Ganghellor, os yw'r Arglwydd Brif Ustus yn cytuno, drwy orchymyn hepgor gofynion is-adran (1) i'r graddau hynny a bennir yn y gorchymyn.

(4) At ddibenion yr adran hon—

mae "cyhoeddi" ("*publish*") yn cynnwys—

(a) cynnwys mewn gwasanaeth rhaglenni (o fewn yr ystyr a roddir i "programme service" yn Neddf Darlledu 1990);

(b) achosi i'r deunydd gael ei gyhoeddi; ac mae "deunydd" ("*material*") yn cynnwys unrhyw lun neu gynrychiolaeth.

(4) This section and any other power in this Act to make rules of court are not to be taken as in any way limiting any other power of the authority in question to make rules of court.

(5) When making any rules under this section an authority will be subject to the same requirement as to consultation (if any) as apply when the authority make rules under its general rule making power.

Privacy for children involved in proceedings under this Part

125C. Section 97 of the Children Act 1989 (privacy for children involved in certain proceedings) applies in relation to children involved in any proceedings under this Part as it applies in relation to children involved in any proceedings under that Act.

125D.—(1) A person must not publish to the public at large or any section of the public any material which is intended, or likely, to identify—

- (a) any child which is being involved in any proceedings before the High Court or the family court in which any power under this Act may be exercised by the court with respect to any child; or
- (b) an address or school as being that of a child involved in any such proceedings.

(2) In any proceedings for an offence under this section it is a defence for the accused to prove that he or she did not know, and had no reason to suspect, that the published material was intended, or likely, to identify the child.

(3) The court or the Lord Chancellor may, if satisfied that the welfare of the child requires it and, in the case of the Lord Chancellor, if the Lord Chief Justice agrees, by order dispense the requirements of subsection (1) to such extent as may be specified in the order.

(4) For the purposes of this section—

"material" ("*deunydd*") includes any picture or representation; and

"publish" ("*cyhoeddi*") includes—

- (a) include in a programme service (within the meaning of the Broadcasting Act 1990);
- (b) cause material to be published.

(5) Mae unrhyw berson sy'n mynd yn groes i'r adran hon yn euog o drosedd ac yn agored, o'i gollfarnu'n ddiannod, i ddirwy nad yw'n uwch na lefel 4 ar y raddfa safonol.

(6) Caiff yr Arglwydd Brif Ustus enwebu deiliad swydd farnwrol (fel y diffinnir "judicial office holder" yn adran 109(4) o Ddeddf Diwygio Cyfansoddiadol 2005) i arfer ei swyddogaethau o dan is-adran (3)."

309. Yn adran 134(2)(d) (byrddau diogelu plant a byrddau diogelu oedolion) yn lle "ymddiriedolaeth GIG" rhodder "Ymddiriedolaeth GIG".

310. Yn adran 162(4)(f) (trefniadau i hyrwyddo cydweithrediad: oedolion y mae arnynt anghenion am ofal a chymorth a gofalwyr) yn lle "ymddiriedolaeth GIG" rhodder "Ymddiriedolaeth GIG".

311. Yn adran 164(4)(b) (dyletswydd i gydweithredu a darparu gwybodaeth wrth arfer swyddogaethau gwasanaethau cymdeithasol) yn lle "ymddiriedolaeth GIG" rhodder "Ymddiriedolaeth GIG".

312. Ar ôl adran 164 (dyletswydd i gydweithredu a darparu gwybodaeth wrth arfer swyddogaethau gwasanaethau cymdeithasol) mewnosoder—

"Dyletswydd personau eraill i gydweithredu a darparu gwybodaeth

164A.—(1) Os yw awdurdod lleol yn gofyn am gydweithrediad person a grybwyllir yn is-adran (4) wrth arfer ei swyddogaethau a grybwyllir yn is-adran (5), rhaid i'r person gydymffurfio â'r cais oni bai ei fod o'r farn y byddai gwneud felly—

- (a) yn anghydnaws â'i ddyletswyddau ei hun, neu
- (b) fel arall yn cael effaith andwyol ar arfer ei swyddogaethau.

(2) Os yw awdurdod lleol yn gofyn i berson a grybwyllir yn is-adran (4) ddarparu gwybodaeth iddo y mae ei hangen arno er mwyn arfer unrhyw un neu rai o'i swyddogaethau a grybwyllir yn is-adran (5), rhaid i'r person gydymffurfio â'r cais oni bai ei fod o'r farn y byddai gwneud felly—

- (a) yn anghydnaws â'i ddyletswyddau ei hun, neu
- (b) fel arall yn cael effaith andwyol ar arfer ei swyddogaethau.

(3) Rhaid i berson sy'n penderfynu peidio â chydymffurfio â chais o dan is-adran (1) neu (2) roi i'r awdurdod lleol a wnaeth y cais resymau ysgrifenedig dros y penderfyniad.

(5) Any person who contravenes this section is guilty of an offence and liable, on summary conviction, to a fine not exceeding level 4 on the standard scale.

(6) The Lord Chief Justice may nominate a judicial office holder (as defined in section 109(4) of the Constitutional Reform Act 2005) to exercise his or her functions under subsection (3)."

309. In section 134(2)(d) (safeguarding children boards and safeguarding adults boards) for "NHS trust" substitute "NHS Trust".

310. In section 162(4)(f) (arrangements to promote co-operation: adults with needs for care and support and carers) for "NHS trust" substitute "NHS Trust".

311. In section 164(4)(b) (duty to co-operate and provide information in the exercise of social services functions) for "NHS trust" substitute "NHS Trust".

312. After section 164 (duty to co-operate and provide information in the exercise of social services functions) insert—

"Duty of other persons to co-operate and provide information

164A.—(1) If a local authority requests the co-operation of a person mentioned in subsection (4) in the exercise of its functions mentioned in subsection (5), the person must comply with the request unless the person considers that doing so would—

- (a) be incompatible with the person's own duties, or
- (b) otherwise have an adverse effect on the exercise of the person's functions.

(2) If a local authority requests that a person mentioned in subsection (4) provides it with information it requires for the purpose of the exercise of any of its functions mentioned in subsection (5), the person must comply with the request unless the person considers that doing so would—

- (a) be incompatible with the person's own duties, or
- (b) otherwise have an adverse effect on the exercise of the person's functions.

(3) A person who decides not to comply with a request under subsection (1) or (2) must give the local authority which made the request written reasons for the decision.

- (4) Y personau yw—
- (a) awdurdod lleol yn Lloegr;
 - (b) awdurdod tai lleol yn Lloegr;
 - (c) Bwrdd Comisiynu'r Gwasanaeth Iechyd Gwladol;
 - (d) unrhyw grŵp comisiynu clinigol, Awdurdod Iechyd Arbennig, Ymddiriedolaeth Sefydledig GIG, neu ymddiriedolaeth GIG yn Lloegr a sefydlwyd o dan adran 25 o Ddeddf y Gwasanaeth Iechyd Gwladol 2006;
 - (e) unrhyw bersonau eraill—
 - (i) a bennir gan reoliadau, neu
 - (ii) o ddisgrifiad a bennir gan reoliadau.

- (5) Y swyddogaethau yw—
- (a) swyddogaethau'r awdurdod lleol o dan adran 14F o Ddeddf Plant 1989 (gwasanaethau cynnal gwarcheidiaeth arbennig);
 - (b) unrhyw un neu rai o swyddogaethau'r awdurdod lleol mewn perthynas â diogelu a hyrwyddo llesiant plant a phobl ifanc, yn benodol y rhai hynny y mae arnynt anghenion gofal a chymorth, a'u teuluoedd ac eraill;
 - (c) unrhyw un neu rai o swyddogaethau'r awdurdod lleol mewn perthynas â phlant sy'n derbyn gofal a phlant sy'n cael eu lletya;
 - (d) unrhyw un neu rai o swyddogaethau'r awdurdod lleol mewn perthynas â phobl ifanc sydd â'r hawlogaeth i gael cymorth o dan adrannau 105 i 115.

(6) Ni chaniateir i reoliadau o dan is-adran (4)(e) bennu'r personau a ganlyn heb gydsyniad yr Ysgrifennydd Gwladol—

- (a) un o Weinidogion y Goron, na
- (b) llywodraethwr carchar neu ganolfan hyfforddi ddiogel (neu yn achos carchar sydd wedi ei gontractio allan neu ganolfan hyfforddi ddiogel sydd wedi ei chontractio allan, y cyfarwyddwr).

(7) Yn yr adran hon, ystyr “awdurdod tai lleol” yw awdurdod tai lleol o fewn yr ystyr a roddir i “local housing authority” yn Neddf Tai 1985.”

313. Yn adran 166(2)(b)(ii) (trefniadau partneriaeth), yn lle “ymddiriedolaeth GIG” rhodder “Ymddiriedolaeth GIG”.

- (4) The persons are—
- (a) a local authority in England;
 - (b) a local housing authority in England;
 - (c) the National Health Service Commissioning Board;
 - (d) any clinical commissioning group, Special Health Authority, NHS Foundation Trust, or NHS trust in England established under section 25 of the National Health Service Act 2006;
 - (e) any other persons—
 - (i) as regulations may specify, or
 - (ii) of a description as regulations may specify.

- (5) The functions are—
- (a) the local authority's functions under section 14F of the Children Act 1989 (special guardianship support services);
 - (b) any of the local authority's functions in relation to safeguarding and promoting the well-being of children and young persons, in particular those with needs for care and support, and their families and others;
 - (c) any of the local authority's functions in relation to looked-after and accommodated children;
 - (d) any of the local authority's functions in relation to young persons entitled to support under sections 105 to 115.

(6) Regulations under subsection (4)(e) may not specify the following persons without consent of the Secretary of State—

- (a) a Minister of the Crown, or
- (b) the governor of a prison or secure training centre (or in the case of a contracted out prison or secure training centre, its director).

(7) In this section “local housing authority” (“*awdurdod tai lleol*”) means a local housing authority within the meaning of the Housing Act 1985.”

313. In section 166(2)(b)(ii) (partnership arrangements) for “NHS trust” substitute “NHS Trust”.

314. Yn adran 190 (methiant darparwr: eithriad i'r ddyletswydd dros dro), ym mharagraff (d) o is-adran (1), hepgorer is-baragraff (i).

315. Yn adran 193 (adennill costau rhwng awdurdodau lleol)—

- (a) yn is-adran (3) ar ôl “awdurdod lleol arall” mewnosoder “neu awdurdod lleol yn Lloegr”;
- (b) yn is-adran (4) ar ôl “awdurdod lleol arall” mewnosoder “neu awdurdod lleol yn Lloegr”;
- (c) yn is-adran (6)—
 - (i) yn lle “is-adran (7)” rhodder “is-adran (7) neu (8)”;
 - (ii) ar ôl “o dan adran 164(1) neu (2)” mewnosoder “, neu o dan adran 27(2) o Ddeddf Plant 1989 (cydweithredu rhwng awdurdodau),”;
 - (iii) ar ôl “yr awdurdod lleol” mewnosoder “neu awdurdod lleol yn Lloegr”;

(d) ar ôl is-adran (7) mewnosoder—

“(8) Pan fo awdurdod lleol (“awdurdod A”) yn cydymffurfio ag unrhyw gais o dan adran 27(2) o Ddeddf Plant 1989 (cydweithredu rhwng awdurdodau) gan awdurdod lleol yn Lloegr (“awdurdod B”) mewn perthynas â pherson—

- (a) ac awdurdod B yw ei awdurdod cyfrifol (o fewn ystyr Rhan 3 o'r Ddeddf honno) at ddibenion adran 23B neu 23C o'r Ddeddf honno, neu
- (b) y mae awdurdod B yn ei gynghori neu'n ymgyfeillio ag ef neu y mae'n rhoi cynhorthwy iddo yn rhinwedd adran 24(5)(a) o'r Ddeddf honno,

caiff awdurdod A adennill oddi wrth awdurdod B unrhyw dreuliau rhesymol a dynnwyd ganddo wrth arfer ei swyddogaethau o dan adrannau 105 i 115 o'r Ddeddf hon mewn cysylltiad â'r person hwnnw.”

316. Yn adran 194 (preswylfa arferol)

(a) ar ôl is-adran (4) mewnosoder—

“(4A) Mae person y mae llety'n cael ei ddarparu iddo o dan adran 117 o Ddeddf Iechyd Meddwl 1983 (ôl-ofal) i'w drin at ddibenion y Ddeddf hon fel un sy'n preswyllo fel arfer yn ardal yr awdurdod lleol, neu'r awdurdod lleol yn Lloegr, y mae'r ddyletswydd i ddarparu gwasanaethau i'r person hwnnw o dan yr adran honno wedi ei gosod arno.”;

(b) hepgorer is-adran (4A) o'r testun Saesneg(1).

(1) Mae adran 194(4A) wedi ei mewnosod gan adran 75(10) o Ddeddf Gofal 2014 (p. 23) ac fe'i deddfwyd yn Saesneg yn unig.

314. In section 190 (provider failure: exception to temporary duty), in paragraph (d) of subsection (1), omit sub-paragraph (i).

315. In section 193 (recovery of costs between local authorities)—

- (a) in subsection (3) after “another local authority” insert “or local authority in England”;
- (b) in subsection (4) after “another local authority” insert “or local authority in England”;
- (c) in subsection (6)—
 - (i) for “subsection (7)” substitute “subsection (7) or (8)”;
 - (ii) after “under section 164(1) or (2)” insert “, or under section 27(2) of the Children Act 1989 (co-operation between authorities),”;
 - (iii) after “the local authority” insert “or local authority in England”;

(d) after subsection (7) insert—

“(8) Where a local authority (“authority A”) complies with any request under section 27(2) of the Children Act 1989 (co-operation between authorities) from a local authority in England (“authority B”) in relation to a person—

- (a) whose responsible authority (within the meaning of Part 3 of that Act) is authority B for the purposes of section 23B or 23C of that Act, or
- (b) whom authority B are advising or befriending or to whom it is giving assistance by virtue of section 24(5)(a) of that Act,

authority A may recover from authority B any reasonable expenses incurred by it in exercising its functions under sections 105 to 115 of this Act in respect of that person.”

316. In section 194 (ordinary residence)—

(a) after subsection (4) insert—

“(4A) A person who is being provided with accommodation under section 117 of the Mental Health Act 1983 (after-care) is to be treated for the purposes of this Act as ordinarily resident in the area of the local authority, or the local authority in England, on which the duty to provide that person with services under that section is imposed.”;

(b) omit subsection (4A) from the English text(1).

(1) Section 194(4A) is inserted by section 75(10) of the Care Act 2014 (c. 23) and was enacted in English only.

317. Yn adran 195 (anghydfodau ynghylch preswylfa arferol a hygludedd gofal a chymorth) ar ôl is-adran (1) mewnosoder—

“(1A) Pan fo anghydfod yn un y mae adran 30(2C) o Ddeddf Plant 1989 yn gymwys iddo (cwestiynau ynghylch pa un a yw plentyn yn preswyllo fel arfer yng Nghymru neu Loegr), yna nid yw is-adran (1) yn gymwys.”

318. Ar ôl adran 195 mewnosoder—

“Troseddau a gyflawnir gan gyrff neu bartneriaethau

195A.—(1) Pan fo corff corfforaethol yn euog o drosedd o dan y Ddeddf hon, a phrofir bod y drosedd honno wedi ei chyflawni gyda chydysyniad neu ymoddefiad y canlynol, neu y gellir ei phriodoli i unrhyw esgeulustod ar ran y canlynol—

- (a) unrhyw gyfarwyddwr, rheolwr, ysgrifennydd neu swyddog tebyg arall yn y corff corfforaethol; neu
- (b) unrhyw berson sy'n honni ei fod yn gweithredu yn rhinwedd unrhyw swydd o'r fath,

mae'r person hwnnw, yn ogystal â'r corff corfforaethol, yn euog o'r drosedd ac yn agored i achos gael ei ddwyn yn ei erbyn ac i gael ei gosbi yn unol â hynny.

(2) At ddibenion yr adran hon, ystyr “cyfarwyddwr” (“*director*”) mewn perthynas â chorff corfforaethol y rheolir ei faterion gan ei aelodau yw aelod o'r corff corfforaethol.

(3) Mae achos am drosedd yr honnir ei bod wedi ei chyflawni o dan y Ddeddf hon gan gorff anghorfforedig i gael ei ddwyn yn enw'r corff hwnnw (ac nid yn enw unrhyw un neu rai o'i aelodau) ac, at ddibenion unrhyw achos o'r fath, mae unrhyw reolau llys sy'n ymwneud â chyflwyno dogfennau yn cael effaith fel pe bai'r corff hwnnw yn gorfforaeth.

(4) Mae unrhyw ddirwy a osodir ar gorff anghorfforedig pan y'i collfermir o drosedd o dan y Ddeddf hon i'w thalu allan o gronfeydd y corff hwnnw.

(5) Os caiff corff anghorfforedig ei gyhuddo o drosedd o dan y Ddeddf hon, mae adran 33 o Ddeddf Cyfiawnder Troseddol 1925 (p. 86) ac Atodlen 3 i Ddeddf Llysoedd Ynadon 1980 (p. 43) yn cael effaith fel pe bai corfforaeth wedi ei chyhuddo.

317. In section 195 (disputes about ordinary residence and portability of care and support) after subsection (1) insert—

“(1A) Where the dispute is one to which section 30(2C) of the Children Act 1989 applies (questions of whether child ordinarily resident in England or Wales), then subsection (1) does not apply.”

318. After section 195 insert—

“Offences committed by bodies or partnerships

195A.—(1) Where a body corporate is guilty of an offence under this Act, and that offence is proved to have been committed with the consent or connivance of, or to have been attributable to any neglect on the part of—

- (a) any director, manager, secretary or other similar officer of the body corporate; or
- (b) any person purporting to act in any such capacity,

that person is guilty of the offence as well as the body corporate, and is liable to be proceeded against and punished accordingly.

(2) For the purposes of this section “director” (“*cyfarwyddwr*”) in relation to a body corporate whose affairs are managed by its members, means a member of the body corporate.

(3) Proceedings for an offence alleged to have been committed under this Act by an unincorporated body are to be brought in the name of that body (and not in that of any of its members) and, for the purposes of any such proceedings, any rules of court relating to the service of documents have effect as if that body were a corporation.

(4) Any fine imposed on an unincorporated body on its conviction of an offence under this Act is to be paid out of the funds of that body.

(5) If an unincorporated body is charged with an offence under this Act, section 33 of the Criminal Justice Act 1925 (c. 86) and Schedule 3 to the Magistrates' Courts Act 1980 (c. 43) have effect as if a corporation had been charged.

(6) Pan brofir bod trosedd o dan y Ddeddf hon a gyflawnir gan gorff anghorfforedig (ac eithrio partneriaeth) wedi ei chyflawni gyda chydysniad neu ymoddefiad unrhyw swyddog o'r corff neu unrhyw aelod o'i gorff llywodraethu, neu y gellir ei phriodoli i unrhyw esgeulustod ar ran unrhyw swyddog o'r fath neu unrhyw aelod o'r fath, mae'r person hwnnw yn ogystal â'r corff yn euog o drosedd ac yn agored i achos gael ei ddwyn yn ei erbyn ac i gael ei gosbi yn unol â hynny.

(7) Pan brofir bod trosedd o dan y Ddeddf hon a gyflawnir gan bartneriaeth neu bartneriaeth yn yr Alban wedi ei chyflawni gyda chydysniad neu ymoddefiad partner, neu y gellir ei phriodoli i unrhyw esgeulustod ar ran partner, mae'r partner hwnnw (yn ogystal â'r bartneriaeth) yn euog o'r drosedd ac yn agored i achos gael ei ddwyn yn ei erbyn ac i gael ei gosbi yn unol â hynny."

319. Yn adran 197 (dehongli cyffredinol a mynegai o ymadroddion a ddiffiniwyd)—

(a) yn is-adran (1) yn lle'r diffiniad o "rhiant maeth awdurdod lleol" rhodder—

"ystyr "rhiant maeth awdurdod lleol" ("*local authority foster parent*") yw person sydd wedi ei awdurdodi felly yn unol â rheoliadau a wneir yn rhinwedd—

(a) adrannau 87 a 93;

(b) paragraff 12F o Atodlen 2 i Ddeddf Plant 1989 (rheoliadau sy'n darparu ar gyfer cymeradwyo rhieni maeth awdurdod lleol);"

(b) yn lle is-adran (2)(b) rhodder—

"(b) mae i gyfeiriad at blentyn sy'n derbyn gofal gan awdurdod lleol yn Lloegr yr ystyr a roddir i gyfeiriad yn adran 22 o Ddeddf Plant 1989 at blentyn sy'n derbyn gofal gan awdurdod lleol yn Lloegr;"

320. Yn Atodlen 1, ym mharagraff 3 (gorchymnion cyfraniadau) ar y diwedd mewnosoder—

"(12) Bydd gorchymyn cyfrannu mewn perthynas â phlentyn, pe byddai fel arall yn parhau mewn grym, yn peidio â chael effaith pan fydd y plentyn yn cyrraedd 18 oed."

321. Yn Atodlen 1, ym mharagraff 4 (gorfodi gorchymnion cyfraniadau)—

(a) hepgorer is-baragraffau (1) a (2);

(b) yn is-baragraff (3) ar ôl "unrhyw awdurdod lleol arall" mewnosoder "neu awdurdod lleol yn Lloegr".

(6) Where an offence under this Act committed by an unincorporated body (other than a partnership) is proved to have been committed with the consent or connivance of, or attributable to any neglect on the part of, any officer of the body or any member of its governing body, that person as well as the body is guilty of the offence and liable to be proceeded against and punished accordingly.

(7) Where an offence under this Act committed by a partnership or a Scottish partnership is proved to have been committed with the consent or connivance of, or to be attributable to any neglect on the part of, a partner, that partner as well as the partnership is guilty of the offence and liable to be proceeded against and punished accordingly."

319. In section 197 (general interpretation and index of defined expressions)—

(a) in subsection (1) for the definition of "local authority foster parent" substitute—

"local authority foster parent" ("*rhiant maeth awdurdod lleol*") means a person authorised as such in accordance with regulations made by virtue of—

(a) sections 87 and 93;

(b) paragraph 12F of Schedule 2 to the Children Act 1989 (regulations providing for approval of local authority foster parents);"

(b) for subsection (2)(b) substitute—

"(b) a reference to a child looked after by a local authority in England has the same meaning as a reference in section 22 of the Children Act 1989 to a child who is looked after by a local authority in England;"

320. In Schedule 1, in paragraph 3 (contribution orders) at the end insert—

"(12) A contribution order in relation to a child, if it would otherwise still be in force, ceases to have effect when the child reaches the age of 18."

321. In Schedule 1, in paragraph 4 (enforcement of contribution orders)—

(a) omit sub-paragraphs (1) and (2);

(b) in sub-paragraph (3) after "any other local authority" insert "or a local authority in England".

322. Hefgorer Atodlen A1 o'r testun Saesneg(1).

323. O flaen Atodlen 1 mewnosoder y canlynol—

“Atodlen A1 Taliadau
Uniongyrchol: Ôl-ofal o dan
Ddeddf Iechyd Meddwl 1983

Cyffredinol

1. Mae adran 50 (taliadau uniongyrchol i ddiwallu anghenion oedolyn), 51 (taliadau uniongyrchol i ddiwallu anghenion plentyn) a 53 (taliadau uniongyrchol: darpariaeth bellach) yn gymwys mewn perthynas ag adran 117 o Ddeddf Iechyd Meddwl 1983 ond fel pe bai'r addasiadau a ganlyn wedi eu gwneud i'r adrannau hynny.

Addasiadau i adran 50

2. Yn lle is-adran (1) o adran 50 rhodder—

“ (1) Caiff rheoliadau ei gwneud yn ofynnol neu ganiatáu i awdurdod lleol wneud taliadau i oedolyn y mae adran 177 o Ddeddf Iechyd Meddwl 1983 (ôl-ofal) yn gymwys iddo sy'n gyfatebol i'r gost o ddarparu neu drefnu i ddarparu gwasanaethau ôl-ofal i'r oedolyn o dan yr adran honno.”

3. Yn is-adran (3) o'r adran honno—

- (a) ym mharagraff (a), yn lle “y mae arno anghenion am ofal a chymorth (“A”)” rhodder “mewn cysylltiad â darparu i'r oedolyn (“A”) wasanaethau ôl-ofal o dan adran 117 o Ddeddf Iechyd Meddwl 1983”, a
- (b) ym mharagraff (c)(i), yn lle “o ddiwallu anghenion A” rhodder “o gyflawni ei ddyletswydd tuag at A o dan adran 117 o Ddeddf Iechyd Meddwl 1983”.

4. Yn is-adran (4) o'r adran honno—

- (a) ym mharagraff (a), yn lle “y mae arno anghenion am ofal a chymorth (“A”)” rhodder “y mae adran 117 o Ddeddf Iechyd Meddwl 1983 yn gymwys iddo (“A”)”, a
- (b) ym mharagraff (d)(i) yn lle “o ddiwallu anghenion A” rhodder “o gyflawni ei ddyletswydd tuag at A o dan adran 117 o Ddeddf Iechyd Meddwl 1983”.

322. Omit Schedule A1 from the English text(1).

323. Before Schedule 1 insert the following—

“Schedule A1 Direct Payments:
After-care Under the Mental Health
Act 1983

General

1. Section 50 (direct payments to meet an adult's needs), 51 (direct payments to meet a child's needs) and 53 (direct payments: further provision) apply in relation to section 117 of the Mental Health Act 1983 but as if the following modifications were made to those sections.

Modifications to section 50

2. For subsection (1) of section 50 substitute—

“(1) Regulations may require or allow a local authority to make payments to an adult to whom section 117 of the Mental Health Act 1983 (after-care) applies that are equivalent to the cost of providing or arranging for the provision of after-care services for the adult under that section.”

3. In subsection (3) of that section—

- (a) in paragraph (a), for “who has needs for care and support (“A”)” substitute “in respect of the provision to the adult (“A”) of after-care services under section 117 of the Mental Health Act 1983”, and
- (b) in paragraph (c)(i), for “of meeting A's needs” substitute “of discharging its duty towards A under section 117 of the Mental Health Act 1983”.

4. In subsection (4) of that section—

- (a) in paragraph (a), for “who has needs for care and support (“A”)” substitute “to whom section 117 of the Mental Health Act 1983 applies (“A”)”, and
- (b) in paragraph (d)(i) for “of meeting A's needs” substitute “of discharging its duty towards A under section 117 of the Mental Health Act 1983”.

(1) Mae Atodlen A1 wedi ei mewnosod gan adran 75(9) o Ddeddf Gofal 2014 (p. 23) a Rhan 2 o Atodlen 4 iddi a ddeddfwyd yn Saesneg yn unig.

(1) Schedule A1 is inserted by section 75(9) of and Part 2 of Schedule 4 to the Care Act 2014 (c. 23) which was only enacted in English.

5. Yn is-adran (5) o'r adran honno—

- (a) ym mharagraff (a), yn lle “anghenion A am ofal a chymorth” rhodder “darparu i A wasanaethau ôl-ofal o dan adran 117 o Ddeddf Iechyd Meddwl 1983”, a
- (b) ym mharagraff (b), yn lle “tuag at y gost o ddiwallu anghenion A am ofal a chymorth” rhodder “sy'n gyfatebol i'r gost o ddarparu neu drefnu i ddarparu i A wasanaethau ôl-ofal o dan adran 117 o Ddeddf Iechyd Meddwl 1983”.

6. Yn is-adran (6)(b) o'r adran honno, yn lle “anghenion A am ofal a chymorth” rhodder “darparu i A wasanaethau ôl-ofal o dan adran 117 o Ddeddf Iechyd Meddwl 1983”.

Addasiadau i adran 51

7. Yn lle is-adran (1) o adran 51 rhodder—

“(1) Caiff rheoliadau ei gwneud yn ofynnol neu ganiatáu i awdurdod lleol wneud taliadau i berson mewn cysylltiad â phlentyn y mae adran 117 o Ddeddf Iechyd Meddwl 1983 (ôl-ofal) yn gymwys iddo sy'n gyfatebol i'r gost o ddarparu neu drefnu i ddarparu gwasanaethau ôl-ofal i'r plentyn o dan yr adran honno.”

8. Yn is-adran (3)(a) a (b) o'r adran honno, yn lle “y mae arno anghenion am ofal a chymorth” (ym mhob lle y mae'n digwydd) rhodder “y mae adran 117 o Ddeddf Iechyd Meddwl 1983 yn gymwys iddo”.

9. Yn is-adran (5)(a) o'r adran honno, yn lle “ddiwallu anghenion y plentyn” rhodder “gyflawni ei ddyletswydd tuag at y plentyn o dan adran 177 o Ddeddf Iechyd Meddwl 1983”.

Addasiadau i adran 53

10. Yn is-adran (1) o adran 53—

- (a) yn y geiriau agoriadol, yn lle “50, 51 neu 52” rhodder “50 neu 51”,
- (b) hepgorer paragraffau (a), (b) ac (c),
- (c) ym mharagraff (i), yn lle “y disodlir odanynt ddyletswydd neu bŵer awdurdod lleol i ddiwallu anghenion person am ofal a chymorth, neu anghenion gofalwr am gymorth, drwy wneud taliadau uniongyrchol, ac i ba raddau y disodlir y ddyletswydd honno neu'r pŵer hwnnw” rhodder “y cyflawnir odanynt ddyletswydd awdurdod lleol o dan adran 117 o Ddeddf Iechyd Meddwl 1983 (ôl-ofal), drwy wneud taliadau uniongyrchol, ac i ba raddau y cyflawnir y ddyletswydd honno”, a

5. In subsection (5) of that section—

- (a) in paragraph (a), for “A’s needs for care and support” substitute “the provision to A of after-care services under section 117 of the Mental Health Act 1983”, and
- (b) in paragraph (b), for “towards the cost of meeting A’s needs for care and support” substitute “equivalent to the cost of providing or arranging the provision to A of after-care services under section 117 of the Mental Health Act 1983”.

6. In subsection (6)(b) of that section, for “A’s needs for care and support” substitute “the provision to A of after-care services under section 117 of the Mental Health Act 1983”.

Modifications to section 51

7. For subsection (1) of section 51 substitute—

“(1) Regulations may require or allow a local authority to make payments to a person in respect of a child to whom section 117 of the Mental Health Act 1983 (after-care) applies that are equivalent to the cost of providing or arranging the provision of after-care services for the child under that section.”

8. In subsection (3)(a) and (b) of that section, for “who has needs for care and support” (in each place it occurs) substitute “to whom section 117 of the Mental Health Act 1983 applies”.

9. In subsection (5)(a) of that section, for “meeting the child’s needs” substitute “discharging its duty towards the child under section 117 of the Mental Health Act 1983”.

Modifications to section 53

10. In subsection (1) of section 53—

- (a) in the opening words, for “50, 51 or 52” substitute “50 or 51”,
- (b) omit paragraphs (a), (b) and (c),
- (c) in paragraph (i), for “local authority’s duty or power to meet a person’s needs for care and support or a carer’s needs for support is displaced” substitute “a local authority’s duty under section 117 of the Mental Health Act 1983 (after-care) is discharged”, and

(d) ym mharagraff (k), yn lle “50 i 52” rhodder “50 neu 51”.

11. Hepgorer is-adrannau (2) i (8) o’r adran honno.

12. Ar ôl is-adran (8) o’r adran honno mewnosoder—

“(8A) Rhaid i reoliadau a wneir o dan adrannau 50 a 51 bennu bod rhaid i daliadau uniongyrchol i dalu’r gost o ddarparu neu drefnu i ddarparu gwasanaethau ôl-ofal o dan adran 177 o Ddeddf Iechyd Meddwl 1983 (ôl-ofal) gael eu gwneud ar raddfa y mae’r awdurdod lleol yn amcangyfrif ei bod yn gyfatebol i’r gost resymol o sicrhau’r ddarpariaeth o’r gwasanaethau hynny i ddiwallu’r anghenion hynny.”

13. Yn is-adran (9) o’r adran honno—

(a) yn lle “, 51 neu 52” rhodder “neu 51”, a

(b) yn lle “gofal a chymorth (neu, yn achos gofalwr, gymorth)” rhodder “gwasanaethau ôl-ofal”.

14. Yn lle is-adran (10) o’r adran honno, yn lle “ofal a chymorth (neu, yn achos gofalwr, gymorth) i ddiwallu anghenion” rhodder “wasanaethau ôl-ofal”.

324. Yn Atodlen 2—

- (a) yn yr ail golofn o’r cofnod sy’n ymwneud â Deddf Iechyd y Cyhoedd (Rheoli Clefydau) 1984, yn lle “Ran 2” rhodder “Ran 4”;
- (b) yn y golofn gyntaf o’r cofnod sy’n ymwneud â Deddf Personau Anabl (Gwasanaethau, Ymgynghori a Chynrychioli) 1986, yn lle “Adrannau 1 i 3 a 5(5)” rhodder “Adrannau 1, 2 a 5(5)”;
- (c) yn lle’r cofnod sy’n ymwneud â Deddf Plant 1989 rhodder—

“Deddf Plant 1989

Y Ddeddf gyfan i’r graddau y mae’n rhoi swyddogaethau i awdurdod lleol yng Nghymru o fewn ystyr y Ddeddf ac eithrio—

- (a) Rhan 3 ac Atodlen 2 (cymorth awdurdod lleol i blant a theuluoedd);
- (b) adran 36 a pharagraffau 12 i 19(1) o Atodlen 3 (gorchmynion goruchwylio addysg).

Adroddiadau lles; cydsynio i gais am orchymyn preswyllo mewn cysylltiad â phlentyn mewn gofal; swyddogaethau sy’n ymwneud â gorchmynion gwarcheidiaeth arbennig; gorchmynion cymorth teulu; gofal a goruchwylio; amddiffyn plant; swyddogaethau mewn perthynas â chartrefi cymunedol, cartrefi gwirfoddol a

(d) in paragraph (k), for “50 to 52” substitute “50 or 51”.

11. Omit subsections (2) to (8) of that section.

12. After subsection (8) of that section insert—

“(8A) Regulations made under sections 50 and 51 must specify that direct payments to meet the cost of providing or arranging for the provision of after-care services under section 117 of the Mental Health Act 1983 (after-care) must be made at a rate that the local authority estimates to be equivalent to the reasonable cost of securing the provision of those services to meet those needs.”

13. In subsection (9) of that section—

(a) for “, 51 or 52” substitute “or 51”, and

(b) for “care and support (or, in the case of a carer, support)” substitute “after-care services”.

14. In subsection (10) of that section, for “care and support (or, in the case of a carer, support) to meet needs” substitute “after-care services”.

324. In Schedule 2—

- (a) in the second column of the entry relating to the Public Health (Control of Disease) Act 1984, for “Part 2” substitute “Part 4”;
- (b) in the first column of the entry relating to the Disabled Persons (Services, Consultation and Representation) Act 1986, for “Sections 1 to 3 and 5(5)” substitute “Sections 1, 2 and 5(5)”;
- (c) for the entry relating to the Children Act 1989 substitute—

“Children Act 1989

The whole Act in so far as it confers functions on a local authority in Wales within the meaning of the Act except—

- (a) Part 3 and Schedule 2 (local authority support for children and families);
- (b) section 36 and paragraphs 12 to 19(1) of Schedule 3 (education supervision orders).

Welfare reports; consent to application for residence order in respect of child in care; functions relating to special guardianship orders; family assistance orders; care and supervision; protection of children; functions in relation to community homes, voluntary homes and voluntary organisations, private children’s homes, and private arrangements for

sefydliadau gwirfoddol, cartrefi plant preifat, a threfniadau preifat ar gyfer maethu plant; arolygu cartrefi plant ar ran Gweinidogion Cymru; ymchwil a dychwelebau gwybodaeth.”;

fostering children; inspection of children’s homes on behalf of the Welsh Ministers; research and returns of information.”;

(d) ar ôl y cofnod sy’n ymwneud â Deddf Plant 1989 mewnosoder—

(d) after the entry relating to the Children Act 1989 insert—

<p>“Deddf y Gwasanaeth Iechyd Gwladol a Gofal yn y Gymuned 1990 Adran 47</p>	<p>Asesiad o anghenion am wasanaethau o dan adran 117 o Ddeddf Iechyd Meddwl 1983.”;</p>	<p>“National Health Service and Community Care Act 1990 Section 47</p>	<p>Assessment of needs for services under section 117 of the Mental Health Act 1983.”;</p>
---	--	---	--

(e) yn y cofnod sy’n ymwneud â Mesur Plant a Theuluoedd (Cymru) 2010, ar ôl y cofnod sy’n ymwneud ag adran 66 mewnosoder—

(e) in the entry relating to the Children and Families (Wales) Measure 2010, after the entry relating to section 66 insert—

“Adran 67

Y ddarpariaeth o wasanaethau gofal perthnasol o fewn ystyr yr adran honno.”

“Section 67

The provision of relevant care services within the meaning of that section.”

Darpariaethau trosiannol ac arbed

325. Mae’r Atodlen (sy’n cynnwys darpariaethau trosiannol ac arbed) yn cael effaith.

Transitional and saving provisions

325. The Schedule (which contains transitional and saving provisions) has effect.

Cyffredinol

326. Nid yw’r Rheoliadau hyn yn effeithio ar weithrediad erthygl 3(1) neu (3) o Orchymyn Deddf Gofal 2014 a Deddf Plant a Theuluoedd 2014 (Diwygiadau Canlyniadol) 2015(1).

General

326. These Regulations do not affect the operation of article 3(1) or (3) of the Care Act 2014 and Children and Families Act 2014 (Consequential Amendments) Order 2015(1).

Mark Drakeford

Y Gweinidog Iechyd a Gwasanaethau Cymdeithasol,
un o Weinidogion Cymru
19 Mawrth 2016

Minister for Health and Social Services, one of the
Welsh Ministers
19 March 2016

(1) O.S. 2015/914.

(1) S.I. 2015/914.

Darpariaethau trosiannol ac arbed

Dehongli

1. Yn yr Atodlen hon—

ystyr “Deddf 1948” (“*the 1948 Act*”) yw Deddf Cymorth Gwladol 1948(1);

ystyr “Deddf 1983” (“*the 1983 Act*”) yw Deddf Iechyd a Gwasanaethau Cymdeithasol a Dyfarniadau Nawdd Cymdeithasol 1983(2);

ystyr “Deddf 2001” (“*the 2001 Act*”) yw Deddf Iechyd a Gofal Cymdeithasol 2001(3);

ystyr “Deddf 2004” (“*the 2004 Act*”) yw Deddf Plant 2004(4);

ystyr “Deddf 2013” (“*the 2013 Act*”) yw Deddf Safonau a Threfniadaeth Ysgolion (Cymru) 2013(5);

ystyr “y Ddeddf” (“*the Act*”) yw Deddf Gwasanaethau Cymdeithasol a Llesiant (Cymru) 2014.

Adran 26 o Ddeddf Plant 1989

2. Yn unol â'r ddarpariaeth sydd wedi ei gwneud yn erthygl 3 o Orchymyn Deddf Plant a Phobl Ifanc 2008 (Cychwyn Rhif 8 a Darpariaeth Arbed) (Cymru) 2016(6) ac er gwaethaf y ddarpariaeth sydd wedi ei gwneud yn rheoliad 90, mae adran 26 o Ddeddf Plant 1989 yn parhau i gael effaith heb ei diwygio at ddibenion paragraff 10(2)(1) o'r Ddeddf honno (rheoliadau o ran lleoli plant mewn cartrefi preifat i blant).

Darpariaethau trosiannol ac arbed cyffredinol

3.—(1) Er gwaethaf y diwygiadau sydd wedi eu gwneud gan y Rheoliadau hyn, ar neu ar ôl y dyddiad y daw'r Rheoliadau hyn i rym—

-
- (1) 1948 p. 29.
 (2) 1983 p. 41.
 (3) 2001 p. 15.
 (4) 2004 p. 31.
 (5) 2013 dccc 1.
 (6) O.S. 2016/452 (Cy. 142) (C. 22). Mae erthygl 3 yn gwneud darpariaeth sy'n darparu bod adran 26 o Ddeddf Plant 1989 (p. 41), er gwaethaf y diwygiadau sydd wedi eu gwneud i'r adran honno gan fod y ddarpariaeth o fewn adran 10 o Ddeddf Plant a Phobl Ifanc 2008 wedi dod i rym, yn parhau i gael effaith heb ei diwygio at ddibenion gwneud rheoliadau o dan baragraff 10(2)(1) o Atodlen 6 i'r Ddeddf honno (rheoliadau o ran lleoli plant mewn cartrefi preifat i blant).

Transitional and saving provisions

Interpretation

1. In this Schedule—

“the Act” (“*y Ddeddf*”) means the Social Services and Well-being (Wales) Act 2014;

“the 1948 Act” (“*Deddf 1948*”) means the National Assistance Act 1948(1);

“the 1983 Act” (“*Deddf 1983*”) means the Health and Social Services and Social Security Adjudications Act 1983(2);

“the 2001 Act” (“*Deddf 2001*”) means the Health and Social Care Act 2001(3);

“the 2004 Act” (“*Deddf 2004*”) means the Children Act 2004(4);

“the 2013 Act” (“*Deddf 2013*”) means the Schools Standards and Organisation (Wales) Act 2013(5).

Section 26 of the Children Act 1989

2. In accordance with the provision made in article 3 of the Children and Young Persons Act 2008 (Commencement No. 8 and Saving Provision) (Wales) Order 2016(6) and notwithstanding the provision made in regulation 90, section 26 of the Children Act 1989 continues to have effect without amendment for the purposes of paragraph 10(2)(1) of that Act (regulations as to the placing of children in private children's homes).

General transitional and saving provisions

3.—(1) Despite the amendments made by these Regulations, on or after the date on which these Regulations come into force—

-
- (1) 1948 c. 29.
 (2) 1983 c. 41.
 (3) 2001 c. 15.
 (4) 2004 c. 31.
 (5) 2013 anaw 1.
 (6) S.I.2016/452 (W. 143) (C. 22). Article 3 makes provision which provides that despite the amendments made to section 26 of the Children Act 1989 (c. 41) by the coming into force of the provision within section 10 of the Children and Young Persons Act 2008, section 26 of the Children Act 1989 continues to have effect without amendment for the purposes of making regulations under paragraph 10(2)(1) of Schedule 6 to that Act (regulations as to the placing of children in private children's homes).

- (a) caniateir i gymorth neu wasanaethau barhau i gael eu darparu, a
- (b) caniateir i daliadau tuag at gost cymorth neu wasanaethau barhau i gael eu gwneud,

yn achos person y mae cymorth neu wasanaethau yn cael eu darparu iddo neu mewn perthynas ag ef, neu y mae taliadau yn cael eu gwneud iddo neu mewn perthynas ag ef tuag at gost cymorth neu wasanaethau, yn union cyn i'r Rheoliadau hyn ddod i rym.

(2) Mae is-baragraff (1) yn gymwys—

- (a) hyd nes y bydd Rhan 4 o'r Ddeddf yn gymwys mewn perthynas â darparu cymorth neu wasanaethau, neu wneud taliadau tuag at gost cymorth neu wasanaethau, yn achos y person hwnnw yn rhinwedd darpariaeth drosiannol sydd wedi ei gwneud mewn gorchymyn o dan adran 199(2) o'r Ddeddf (cychwyn), neu
- (b) os yw'n gynharach, tan 31 Mawrth 2017.

(3) Er gwaethaf y diwygiadau sydd wedi eu gwneud gan y Rheoliadau hyn—

- (a) mae unrhyw ddarpariaeth sy'n gweithredu mewn perthynas â chymorth neu wasanaethau a ddarperir, neu drwy gyfeirio atynt, neu daliadau a wneir tuag at gost cymorth neu wasanaethau, cyn neu (yn unol ag is-baragraff (1)) ar neu ar ôl y dyddiad y daw'r Rheoliadau hyn i rym, a
- (b) mae unrhyw beth a wneir o dan y ddarpariaeth honno,

yn parhau i gael effaith at ddiben y cymorth hwnnw neu'r gwasanaethau neu'r taliadau hynny, yn ddarostyngedig i is-baragraff (6).

(4) Mae'r cyfeiriadau yn is-baragraff (3) at gymorth neu wasanaethau a ddarperir, neu daliadau a wneir, cyn y dyddiad y daw'r Rheoliadau hyn i rym yn cynnwys cymorth neu wasanaethau nas darperir ond y mae'n ofynnol, neu y caniateir, iddynt gael eu darparu neu y mae'n bosibl y bydd yn ofynnol, neu y caniateir, iddynt gael eu darparu, neu daliadau nas gwneir ond y mae'n ofynnol, neu y caniateir, iddynt gael eu gwneud neu y mae'n bosibl y bydd yn ofynnol, neu y caniateir, iddynt gael eu gwneud, cyn y dyddiad hwnnw.

(5) Mae'r ddarpariaeth y cyfeirir ati yn is-baragraff (3) yn cynnwys, yn benodol, ddarpariaeth ynghylch—

- (a) costau a symiau eraill sy'n daladwy a'u hadennill;
- (b) gwasanaethau cyfreithiol sifil (o fewn yr ystyr a roddir i "civil legal services" yn Rhan 1 o Ddeddf Cymorth Cyfreithiol, Dedfrydu a Chosbi Troseddwy'r 2012);
- (c) troseddau.

- (a) support or services may continue to be provided, and
- (b) payments towards the cost of support or services may continue to be made,

in the case of a person to whom, or in relation to whom, support or services are being provided, or payments towards the cost of support or services are being made, immediately before these Regulations come into force.

(2) Sub-paragraph (1) applies until—

- (a) Part 4 of the Act applies in relation to the provision of support or services, or the making of payments towards the cost of support or services, in that person's case by virtue of transitional provision made in an order under section 199(2) of the Act (commencement), or
- (b) if earlier, 31 March 2017.

(3) Despite the amendments made by these Regulations—

- (a) any provision that operates in relation to, or by reference to, support or services provided, or payments towards the cost of support or services made, before or (in accordance with sub-paragraph (1)) on or after the date on which these Regulations come into force, and

(b) anything done under that provision, continue to have effect for the purpose of that support or those services or payments, subject to sub-paragraph (6).

(4) The references in sub-paragraph (3) to support or services provided, or payments made, before the date on which these Regulations come into force include support or services that are not provided but are or may be required or permitted to be provided, or payments that are not made but are or may be required or permitted to be made, before that date.

(5) The provision referred to in sub-paragraph (3) includes in particular provision about—

- (a) costs and other amounts payable and their recovery;
- (b) civil legal services (within the meaning of Part 1 of the Legal Aid, Sentencing and Punishment of Offenders Act 2012);
- (c) offences.

(6) Nid yw is-baragraff (3) yn awdurdodi awdurdod lleol i wneud unrhyw un o'r canlynol ar neu ar ôl y dyddiad y daw'r Rheoliadau hyn i rym—

- (a) creu arwystl o dan adran 22(1) o Ddeddf 1983;
- (b) gwneud gorchymyn o dan adran 23(1) o'r Ddeddf honno;
- (c) ymrwymo i gytundeb ar daliadau gohiriedig o dan adran 55(1) o Ddeddf 2001.

(7) Pan fo deddfiad yn peidio â chael effaith o dan y Rheoliadau hyn at ddiben y mae awdurdod lleol yn dal tir ar ei gyfer yn union cyn i'r Rheoliadau hyn ddod i rym, mae'r tir i gael ei drin fel pe bai wedi ei gyfeddu at ba ddibenion bynnag o'r Ddeddf y mae'r awdurdod yn eu dynodi.

(8) Pan fo deddfiad yn peidio â chael effaith o dan y Rheoliadau hyn at ddiben y mae gan awdurdod lleol hawl i ddefnyddio tir ar ei gyfer yn union cyn i'r Rheoliadau hyn ddod i rym—

- (a) mae'r awdurdod yn parhau i fod â'r hawl honno i ddefnyddio'r tir at ba ddibenion bynnag o'r Ddeddf y mae'r awdurdod yn eu dynodi, ond
- (b) nid yw hynny'n effeithio ar yr amgylchiadau (ac eithrio bod y deddfiad yn peidio â chael effaith) y mae'r hawl yn peidio odanynt.

(9) Nid yw'r paragraff hwn yn rhagfarnu adran 16 o Ddeddf Dehongli 1978(1) (arbedion cyffredinol).

Darpariaeth drosiannol mewn perthynas â gorfodi dyledion

4.—(1) Yn ddarostyngedig i is-baragraffau (4) a (5), gellir adennill swm neu ffi y mae is-baragraff (2) yn gymwys iddo neu iddi o dan adran 70 o'r Ddeddf (adennill costau, llog etc) fel pe bai'n swm sy'n ddyledus i'r awdurdod lleol o dan sylw o dan Ran 5 o'r Ddeddf.

(2) Mae'r is-baragraff hwn yn gymwys i unrhyw swm neu ffi sy'n ddyledus i awdurdod lleol yng Nghymru o dan unrhyw un neu ragor o'r darpariaethau perthnasol mewn cysylltiad â chymorth neu wasanaethau (gan gynnwys swm neu ffi sy'n dod yn ddyledus ar neu ar ôl y dyddiad y daw'r Rheoliadau hyn i rym).

(3) At ddibenion is-baragraff (2), y darpariaethau perthnasol yw—

- (a) Rhan 3 o Ddeddf 1948 (gwasanaethau awdurdodau lleol);

(6) Sub-paragraph (3) does not authorise a local authority to do any of the following on or after the date on which these Regulations come into force—

- (a) create a charge under section 22(1) of the 1983 Act;
- (b) make an order under section 23(1) of that Act;
- (c) enter into a deferred payment agreement under section 55(1) of the 2001 Act.

(7) Where under these Regulations an enactment ceases to have effect for a purpose for which a local authority holds land immediately before these Regulations come into force, the land is to be treated as appropriated for whatever purposes of the Act the authority may designate.

(8) Where under these Regulations an enactment ceases to have effect for a purpose for which a local authority has a right to use land immediately before these Regulations come into force—

- (a) the authority continues to have that right to use the land for whatever purposes of the Act the authority may designate, but
- (b) that does not affect the circumstances (other than the enactment ceasing to have effect) in which the right ceases.

(9) This paragraph is without prejudice to section 16 of the Interpretation Act 1978(1) (general savings).

Transitional provision in relation to enforcement of debts

4.—(1) Subject to sub-paragraphs (4) and (5), a sum or charge to which sub-paragraph (2) applies is recoverable under section 70 of the Act (recovery of charges, interest etc) as if it were an amount due to the local authority in question under Part 5 of the Act.

(2) This sub-paragraph applies to any sum or charge due to a local authority in Wales under any of the relevant provisions in respect of support or services (including a sum or charge which becomes due on or after the date on which these Regulations come into force).

(3) For the purposes of sub-paragraph (2), the relevant provisions are—

- (a) Part 3 of the 1948 Act (local authority services);

(1) 1978 p. 30.

(1) 1978 c. 30.

- (b) adran 17 o Ddeddf 1983 (ffioedd am wasanaethau awdurdodau lleol yng Nghymru a Lloegr);
- (c) adran 29 o Ddeddf Plant 1989(1);
- (d) Rhan 3 o Atodlen 2 i'r Ddeddf honno;
- (e) Mesur Codi Ffioedd am Wasanaethau Gofal Cymdeithasol (Cymru) 2010(2).

(4) Nid yw is-baragraff (1) yn gymwys i swm na ffi y mae achos adennill wedi dechrau mewn cysylltiad ag ef neu hi cyn i'r Rheoliadau hyn ddod i rym.

(5) Gellir adennill swm neu ffi o dan is-baragraff (1) o fewn y cyfnod y gallai, oni bai am y paragraff hwn, fod wedi ei hadennill o'i fewn o dan adran 56 o Ddeddf 1948 (achosion cyfreithiol) neu, yn ôl y digwydd, o dan unrhyw un neu ragor o'r darpariaethau perthnasol.

(6) Er gwaethaf paragraff 3(3) o'r Atodlen hon, nid yw adran 56(1) o Ddeddf 1948 nac unrhyw un o'r darpariaethau perthnasol yn gymwys mewn perthynas â swm neu ffi y gellir ei adennill neu ei hadennill o dan is-baragraff (1).

Darpariaeth drosiannol sy'n ymwneud ag anghydfodau ynghylch preswylfa arferol

5. Mae unrhyw gwestiwn o ran preswylfa arferol oedolyn sy'n codi o dan Ddeddf 1948 ac sydd i gael ei ddyfarnu gan Weinidogion Cymru ar neu ar ôl i'r Rheoliadau hyn ddod i rym i gael ei ddyfarnu yn unol ag adran 195 o'r Ddeddf (anghydfodau ynghylch preswylfa arferol a hygludedd gofal a chymorth).

Darpariaeth drosiannol mewn perthynas â gwarchod eiddo personau a dderbynnir i ysbytai etc.

6.—(1) Er gwaethaf paragraff 3(3) o'r Atodlen hon, mae unrhyw gamau a gymerir gan awdurdod lleol yng Nghymru, yn union cyn i'r Rheoliadau hyn ddod i rym, i atal neu i leihau'r golled o eiddo, neu'r difrod i eiddo, yn unol ag adran 48 o Ddeddf 1948 (dyletswydd cynghorau i warchod dros dro eiddo personau a dderbynnir i ysbytai etc.) i gael eu trin, ar neu ar ôl i'r Rheoliadau hyn ddod i rym, fel pe baent wedi eu cymryd yn unol ag adran 58 o'r Ddeddf (gwarchod eiddo personau y gofelir amdanynt i ffwrdd o'u cartrefi).

(2) Caniateir i unrhyw dreuliau rhesymol yr eir iddynt ond nas adenillir cyn i'r Rheoliadau hyn ddod i rym gan yr awdurdod lleol yng Nghymru o dan adran 48 o Ddeddf 1948, ar neu ar ôl i'r Rheoliadau hyn ddod i rym, gael eu hadennill o dan adran 58(9) o'r Ddeddf.

(1) 1989 p. 41.
 (2) 2010 mccc 2.

- (b) section 17 of the 1983 Act (charges for local authority services in England and Wales);
- (c) section 29 of the Children Act 1989(1);
- (d) Part 3 of Schedule 2 to that Act;
- (e) the Social Care Charges (Wales) Measure 2010(2).

(4) Sub-paragraph (1) does not apply to a sum or charge in respect of which proceedings for recovery have begun prior to these Regulations coming into force.

(5) A sum or charge is recoverable under sub-paragraph (1) within the period within which it would, but for this paragraph, have been recoverable under section 56 of the 1948 Act (legal proceedings) or, as the case may be, under any of the relevant provisions.

(6) Notwithstanding paragraph 3(3) of this Schedule, neither section 56(1) of the 1948 Act nor any of the relevant provisions apply in relation to a sum or charge which is recoverable under sub-paragraph (1).

Transitional provision relating to ordinary residence disputes

5. Any question as to an adult's ordinary residence arising under the 1948 Act and which is to be determined by the Welsh Ministers on or after these Regulations come into force is to be determined in accordance with section 195 of the Act (disputes about ordinary residence and portability of care and support).

Transitional provision in relation to protecting property of persons admitted to hospitals etc.

6.—(1) Notwithstanding paragraph 3(3) of this Schedule, any steps taken immediately before these Regulations come into force by a local authority in Wales to prevent or mitigate the loss of, or damage to, property in accordance with section 48 of the 1948 Act (duty of councils to provide temporary protection for property of persons admitted to hospitals etc.) are, on or after these Regulations come into force, to be treated as taken in accordance with section 58 of the Act (protecting property of persons being cared for away from home).

(2) Any reasonable expenses incurred but not recovered before these Regulations come into force by the local authority in Wales under section 48 of the 1948 Act may, on or after these Regulations come into force, be recovered under section 58(9) of the Act.

(1) 1989 c. 41.
 (2) 2010 nawm 2.

Darpariaeth arbed mewn perthynas â phwerau Gweinidogion Cymru i ymyrryd

7.—(1) Er gwaethaf y diwygiadau a wneir gan y Rheoliadau hyn, bydd adran 7D o Ddeddf Gwasanaethau Cymdeithasol Awdurdodau Lleol 1970 yn parhau i fod yn gymwys mewn unrhyw achos pan fo gorchymyn sy'n cynnwys cyfarwyddydau wedi ei wneud o dan adran 7D(1) a phan na fo'r cyfnod ar gyfer cydymffurfio â'r cyfarwyddydau wedi dod i ben cyn i'r Rheoliadau hyn ddod i rym.

(2) Er gwaethaf y diwygiadau a wneir gan y Rheoliadau hyn, bydd cymhwysiad Pennod 2 o Ran 2 o Ddeddf 2013 (ymyrryd mewn awdurdodau lleol) gan adran 50A(1) o Ddeddf 2004 (ymyrryd – Cymru) yn parhau mewn unrhyw achos—

- (a) pan fo Gweinidogion Cymru wedi eu bodloni bod seiliau dros ymyrryd â'r modd y mae awdurdod lleol yn arfer y swyddogaethau a bennir yn adran 50A(2) o Ddeddf 2004 a phan na fo'r cyfnod cydymffurfio mewn hysbysiad rhybuddio a roddir o dan adran 22 o Ddeddf 2013 wedi dod i ben cyn i'r Rheoliadau hyn ddod i rym, neu
- (b) pan fo gan Weinidogion Cymru, yn union cyn i'r Rheoliadau hyn ddod i rym, y pŵer i ymyrryd o dan Bennod 2 o Ran 2 o Ddeddf 2013 â'r modd y mae awdurdod lleol yn arfer y swyddogaethau a bennir yn adran 50A(2) o Ddeddf 2004.

©[©]Hawlfraint y Goron 2016

Argraffwyd a chyhoeddwyd yn y Deyrnas Unedig gan The Stationery Office Limited o dan awdurdod ac arolygiaeth Carol Tullo, Rheolwr Gwasg Ei Mawrhydi ac Argraffydd Deddfau Seneddol y Frenhines.

Savings provision in relation to Welsh Ministers powers to intervene

7.—(1) Despite the amendments made by these Regulations, section 7D of the Local Authority Social Services Act 1970 will continue to apply in any case where an order containing directions has been made under section 7D(1) and the period for complying with the directions has not expired before the coming into force of these Regulations.

(2) Despite the amendments made by these Regulations, the application of Chapter 2 of Part 2 of the 2013 Act (intervention in local authorities) by section 50A(1) of the 2004 Act (intervention – Wales) will continue in any case where—

- (a) the Welsh Ministers are satisfied that there are grounds for intervention in the exercise by a local authority of the functions specified in section 50A(2) of the 2004 Act and the compliance period in a warning notice given under section 22 of the 2013 Act has not expired before the coming into force of these Regulations, or
- (b) immediately before these Regulations come into force, the Welsh Ministers have the power to intervene under Chapter 2 of Part 2 of the 2013 Act in the exercise by a local authority of the functions specified in section 50A(2) of the 2004 Act.

© Crown copyright 2016

Printed and Published in the UK by the Stationery Office Limited under the authority and superintendence of Carol Tullo, Controller of Her Majesty's Stationery Office and Queen's Printer of Acts of Parliament.

